



February 23, 2015

Grey County Transportation and Public Safety Committee
c/o Michael Kelly
Director of Transportation Services
Corporation of the County of Grey
595 9th Avenue East
Owen Sound, ON N4K 3E3

Dear Sirs and Madams:

We are advised that, on February 19, 2014, the Transportation and Public Safety (“TAPS”) Committee deferred its vote on the recommendations set out in the Director of Transportation Services’ Report TR-TAPS-19-15 (the “Staff Report”). As you know, in the Staff Report, the Director expressed his agreement with certain proposed modifications to the location of East Durham Wind, LP’s distribution facilities within road allowances owned by Grey County (the “Modifications”). The Director also recommended that the Warden and Clerk be authorized to execute an amendment to the existing distribution facilities agreement between East Durham and Grey County (the “Amending Agreement”) in order to incorporate the Modifications into that agreement.

We were disappointed to learn that instead of endorsing the Director’s recommendations, the TAPS Committee instead deferred its vote until its next meeting, which we understand will take place on March 19, 2015 (not March 5, 2015 as advertised within the Meeting Calendar on the Grey County website). We were also disappointed to learn that the Committee will only consider the Amending Agreement at the March 19, 2015 meeting if a separate meeting between East Durham, Grey County and the Municipalities of West Grey and Grey Highlands first takes place.

Nonetheless, given our ongoing and good faith efforts to work with Grey County, East Durham will make representatives available for the meeting with the County, West Grey and Grey Highlands. We request that this meeting be scheduled as soon as possible, especially in light of the date of the next TAPS Committee meeting. As we have been advised that the County’s Transportation Director will be scheduling the meeting on behalf of all parties, please let us know as soon as possible when the meeting will take place. We also ask that Grey County provide us with an agenda in advance of the meeting to ensure the meeting runs as efficiently as possible. In that regard, we expect that the only topic for discussion at the meeting will be the Modifications in Grey County road allowances, as that is the sole subject of the Amending Agreement. To that end, although we do not object to representatives from the Municipalities of West Grey and Grey Highlands attending the meeting for information purposes, we note that these Municipalities do not have authority over Grey County road allowances or jurisdiction in respect of the Modifications.

Finally, we would encourage all participants in the meeting to be mindful of the extensive consultation which has already occurred in respect of the Modifications. East Durham first sent drawings of the Modifications to Grey County’s Transportation Director on December 3, 2014 after much discussion between East Durham and County staff regarding the subject distribution facility locations. After further discussions with East Durham, the Director then stamped each of the drawings “Approved for Construction” on December 9, 2014 and issued an encroachment permit for the Modifications on December 18, 2014. The Amending Agreement and the drawings (which depict both the original, approved locations as well as the Modifications)

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were then included with the Staff Report as part of the February 19, 2015 TAPS Committee agenda, which was available to all Committee members for review. Contrary to the TAPS Committee's February 19, 2015 resolution, there have not been multiple proposed changes to the distribution facilities agreement between Grey County and East Durham; rather, the Amending Agreement has been the only proposed change. Similarly, the Modifications set out in the Amending Agreement represent the only set of distribution facility location changes that East Durham has proposed following the original execution of the distribution facilities agreement.

Given this history, we trust the meeting will be a constructive one, focused on clarifying the nature of the Modifications being proposed. We look forward to hearing from you regarding the meeting details as soon as possible.

Sincerely,



Adam Rickel

cc. Sharon Vokes, Grey County Clerk
Ashley Pinnock, NextEra Energy Canada, LP
Tyson Dyck, Torys LLP