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The Island Regulatory and Appeals Commission  
National Bank Tower, Suite 501  
134 Kent Street, P. O. Box 577  
Charlottetown, PE  
C1A 7L1

Dear Sirs/Madams:

Re: The PEI Energy Corporation v. Rural Municipality of Eastern Kings - Docket LA20014 - Notice Of Application To Intervene

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Please consider this letter as my application to intervene in this matter as an Added Party Intervener or, in the alternative, as a Friend of the Commission Intervener. This application is made pursuant to ss. 14-20 of the Commission's Rules of Practice and Procedure in respect of an appeal pursuant to the *Planning Act*, R.S.P.E.I. 1988, Cap. P - 8.

My interest in this matter is as a resident and elector in the Rural Municipality of Eastern Kings ("RMEK") who would be adversely affected by a decision granting the appeal under consideration by the Commission. While RMEK is responsible for governance of our community, it will be not be affected as I may be.

The 2020 Eastern Kings Wind Farm Expansion proposal, alone, of the Appellant has already adversely affected life in this community and the prospect of the proposal proceeding is disconcerting with respect to harmony within the community and the chilling effect it may have on public interest in municipal government and indeed the future of RMEK. That the wind farm expansion would proceed as a result of decision by IRAC rather than a decision by RMEK will appear as egregious to many.

I have been involved in the matter of the 2020 Eastern Kings Wind Farm Expansion since the proposal first appeared at an RMEK council meeting. I was responsible for the conflict-of-interest recusals of the mayor and a councilor. I have written to and appeared before Council several times as the matter proceeded. I have also written letters to media, done interviews and made submissions to the Environmental Impact Assessment comments.

I would like to attend the hearing and make a written submission concerning how this two-year process has unfolded from the point of view of a resident and elector. I do not wish to submit evidence already submitted by RMEK and do not intend to cross-examine witnesses but wish to retain the right to do so depending on evidence that may come forward at the hearing. I would like point out instances where questionable behavior has been exhibited.

It is my intent to demonstrate the significant adverse consequences to myself, as a landowner and resident of RMEK, that a decision of the Commission allowing the appeal of the Appellant would have. I intend to clarify information in the record in regard to those aspects of the matter of which I have personal knowledge. I also intend to show that the reasons put forward by the Appellant for overturning the RMEK Council's decision are based on a distortion of the facts and the mischaracterization of RMEK and its Council. As the hearing progresses, other factual issues may also arise.

The primary goal of my intended participation is to be in a position to make written submissions at the conclusion of the hearing based on the evidence tendered and submissions made by the Parties. I do not propose to duplicate the submissions of RMEK, but rather to make submissions from the point of view of an affected landowner and resident. However, depending upon the evidence tendered at the hearing, additional evidence from myself might be useful to the Commission. Similarly, I do not anticipate the need to conduct cross-examination of witnesses, but depending on the evidence that comes forward, I should have the right to do so, subject to reasonable limitations by the Commission.

I would not anticipate that my intervention would add significantly to the cost and complexity of the proceeding. While it might become necessary to introduce evidence or conduct cross-examination, that is not anticipated and will, of course, be subject to such limitations as the Commission sees fit to impose.

Yours very truly,

Don Humphrey

cc: J. Gordon MacKay, Q.C.  
Geoffrey D. Connolly, Q.C.  
Hilary A. Newman