



# *Niagara Escarpment Hearing Office*

## **Rules of Procedure for the Niagara Escarpment Plan Review Hearing**

### **1. Preamble**

- 1.1 These Rules have been adopted by the Hearing Officers conducting the Niagara Escarpment Plan Review Hearing pursuant to the hearing provisions of the *Niagara Escarpment Planning and Development Act*.

### **2. Purpose of the Rules**

- 2.1 The purpose of these Rules is to provide a fair, open, accessible and understandable process for interested persons; to facilitate and enhance access and public participation; to encourage co-operation among Participants to the Hearing; to ensure the efficiency and timeliness of proceedings and avoid unnecessary length and delay; and to assist the Hearing Officers in fulfilling their statutory mandate.

### **3. General**

#### **3.1 Application of the Rules**

- 3.1.1 These Rules apply to all proceedings before the Hearing Officers conducting the Niagara Escarpment Plan Review Hearing. The Hearing Officers conducting the Hearing may, in their discretion, depart from these Rules.
- 3.1.2 In the Niagara Escarpment Plan Review Terms of Reference, released by the Minister of Natural Resources on December 21, 2000, the Minister directed the Hearing Officers in adopting their rules of procedure to endeavour to:

- Make the Review as non-adversarial as possible;
- Provide for the submission and evaluation of written submissions prior to the Hearing; and
- Increase to the degree possible the early resolution of issues.

In order to comply with these directions, the Hearing Officers have divided the Hearing into two parts: written and oral. In addition, the Hearing Officers are providing for transparency and broad public access to the proposed amendments and submissions from Participants through the use of electronic filing and publication of these parts of the record on the website during the Hearing.

## 3.2 Interpretation

- 3.2.1 These Rules require compliance with the Procedural Directions and Guideline issued by the Hearing Officers, as listed below. The Hearing Officers may issue further Procedural Directions and Guidelines as they see fit.

**Procedural Directions:**

Filing of Submissions

Written Submissions

**Guideline:**

Written and Electronic Hearings

- 3.2.2 The Hearing Officers may exercise any of their powers under these Rules on their own initiative or at the request of any Participant.
- 3.2.3 Where any of these Rules conflict with any statute, the provisions of the statute shall prevail.
- 3.2.4 No proceeding is invalid by reason only of a defect or other irregularity in form.

## 4. Definitions

- 4.1 Definitions of various terms used in these Rules are found in Appendix A.

## 5. Signing of Documents

- 5.1 A document to be signed on behalf of the Hearing Officers may be signed by either of them, or by his, or their designee.

## **6. Computing Time (Deadlines)**

6.1 In computing time periods under these Rules or an Order or Direction of the Hearing Officers or their designee, "days" shall be calendar days. Where the time for doing anything under these Rules expires on a Saturday, Sunday or statutory holiday, the act may be done on the next business day. A document received by the Hearing Officers after 4:00 p.m. shall be deemed to have been received on the next business day.

## **7. Non-compliance with Rules**

7.1 If a Participant, his/her/its representative or his/her/its consultant fails to comply with these Rules, the Hearing Officers may:

(a) impose such conditions as will ensure compliance; and/or

(b) terminate the Participant-s status at the Hearing.

## **8. Hearing Officers= Counsel**

8.1 The Hearing Officers may appoint and direct their own counsel to assist them.

## **9. Accommodation**

9.1 Participants and their representatives should notify the Niagara Escarpment Hearing Office as soon as possible of any special accommodation requirements with respect to the proceedings before the Hearing Officers.

## **10. Participants**

10.1 For the purpose of the Hearing and these Rules, Participants include those persons who wish to make representations respecting the proposed amendments during the written or oral part of the Hearing.

10.1.1 Persons wishing to be granted the status of a Participant at the oral part of the Hearing are asked to request such status in writing from the Hearing Officers, as soon as possible, preferably by June 1, 2001, at 4:00 p.m., in order to ensure orderly scheduling. Such a request shall be made in writing to the Registrar, if made prior to the commencement of the oral part of the Hearing. The request may be made at the same time as the filing of a written submission, as provided for in Rule 10.4.1.

## 10.2 Role of the Niagara Escarpment Commission

- 10.2.1 The Niagara Escarpment Commission (“NEC”) is a Participant in the Plan Review Hearing process as the agency proposing the amendments to the Plan for consideration during the Hearing portion of the Plan Review. The Hearing Officers recognize the NEC’s unique role and are thus providing the NEC with some additional rights and responsibilities pursuant to S. 10 (6) of the *Niagara Escarpment Planning and Development Act*. The NEC will thus have the rights of a Participant to the Hearing, as set out in S.10.3 of these Rules, with certain exceptions as set out below.
- 10.2.2 The Hearing Officers will set aside time at the commencement of the oral part of the Hearing at each of the different locations in order to allow the NEC to make a presentation regarding the proposed amendments and the justification therefor.
- 10.2.3 The NEC may also make available for public inspection throughout the oral part of the Hearing, at the locations where the oral part of the Hearing is held, research material, reports, plans and the like, that were used in the preparation of the amendments. All of these materials are also to be made available for public inspection at the NEC offices throughout the entirety of the Hearing. The NEC’s website, “[www.escarpment.org](http://www.escarpment.org)”, also contains the Discussion Papers for the Niagara Escarpment Plan Review.
- 10.2.4 The NEC may also be questioned on any aspect of the amendments they are proposing by any Participant to the Hearing. The NEC will follow the procedure for answering written questions of Participants who have filed written submissions with the Hearing Office when responding to written questions. In addition, the Hearing Officers will set aside time at each of the different locations for the oral part of the Hearing in order to allow the Participants at those sessions an opportunity to pose oral questions to the NEC, regarding the proposed amendments. The NEC would not be able to provide new information at the oral question sessions except as required in relation to the questions posed.

## 10.3 Role of a Participant

- 10.3.1 The Hearing Officers may reduce the procedural obligations of a Participant depending on the interests and resources of the Participant. In particular, in special circumstances, the Hearing Officers can make arrangements to accept written submissions that are not in electronic format.

10.3.2 A Participant to the Hearing:

- (a) may file a written submission;
- (b) may make a time-limited oral submission at a pre-arranged time, either during one of the Hearing's regular daytime sessions, or at a special evening session;
- (c) may be questioned by the Hearing Officers;
- (d) may ask written questions of other Participants who have filed written submissions with the Hearing Office;
- (e) may ask questions of the NEC during the time determined for this purpose by the Hearing Officers at the oral part of the Hearing;
- (f) may attend site visits, if conducted;
- (g) may file a brief written final summary of their position at the conclusion of the oral part of the hearing; and
- (h) must answer written questions asked of them related to their written submission, by any person. **Note:** The Hearing Officers may, in their discretion, remove this requirement on their own motion, if they deem a question to be frivolous and vexatious. In addition, Participants may request an exemption from the requirement to answer a question regarding their written submissions if they believe that the question is frivolous and vexatious.

10.3.3 A Participant in the Hearing may not:

- (a) call witnesses;
- (b) cross-examine witnesses;
- (c) bring motions;
- (d) claim costs or be liable for costs; or
- (e) appeal the Hearing Officers' report.

10.3.4 Notwithstanding any of the above, nothing prohibits a Participant from including expert evidence in their written submission, or from asking written questions about this material in another person's submission.

If any expert reports are included in written submissions, a brief curriculum vitae of the expert (4 pages maximum) should be attached.

## 10.4 **Written Materials and Oral Remarks**

- 10.4.1 Participants shall file all written materials, including submissions, questions, responses and final summaries that they intend to place before the Hearing Officers at the Hearing by the deadlines set by the Procedural Order(s) of the Hearing Officers. The written materials shall be in the format set out in the *Procedural Direction on Filing of Materials* and the *Procedural Direction on Written Materials* issued by the Hearing Officers. All written materials will be posted on the Website.  
**Note: Not filing a written submission by the deadline set out by Procedural Order Number 1, as amended, may affect the role of a Participant at the oral hearing, by limiting the time allowed to make oral remarks to the Hearing Officers.**
- 10.4.2 Participants shall have a time-limited opportunity to make oral remarks to the Hearing Officers during the oral part of the Hearing. Participants who have filed a written submission with the Hearing Office by the deadline imposed by the Procedural Order shall be granted thirty (30) minutes to make oral remarks to the Hearing Officers. Participants may choose not to make oral remarks, and to rely upon their written submission. The oral remarks may, for example, summarize their written submission, or provide a statement concerning the written submission filed by another Participant. The time allotment will not include additional time spent answering questions asked by the Hearing Officers. Participants may also choose not to make oral remarks, and to rely solely upon their written submission.
- 10.4.3 Persons who have not filed a written submission with the Hearing Office by the deadline imposed by Procedural Order Number 1, as amended, may seek Participant status prior to or during the oral Hearing. If granted Participant status, they shall be granted ten (10) minutes to make oral remarks to the Hearing Officers. The time allotment will not include additional time spent answering questions asked by the Hearing Officers.
- 10.4.4 The Hearing Officers may, at their discretion, lengthen the time allotted to a Participant for their oral remarks. Participants who have made a written submission and who wish to have more time for their oral remarks at the Hearing may contact the Registrar of the Hearing Office in writing, and should specify the total amount of time required for their extended oral remarks.

In deciding whether to grant a Participant additional time in which to make oral remarks, the Hearing Officers may consider relevant matters including:

- (a) a Participant's demonstrated interest in and familiarity with the Niagara Escarpment Plan and the Review Topics as set out in the Terms of Reference, including whether their interests may be directly and substantially affected by the Hearing or its result;
- (b) where a written submission has been filed during the written part of the Hearing, the quality of the Participant's written submission, and whether it demonstrates that the Participant is likely to make a useful and distinct contribution to the Hearing Officers' understanding of the Review Topics in the Hearing;
- (c) whether or not the Participant represents the views of a number of parties with a demonstrated interest in the Niagara Escarpment Plan and the Review Topics.

10.4.5 Participants will also have the option of filing a brief, succinct written summary of their position at the end of the oral part of the Hearing. The written summary is to follow the *Procedural Direction on Filing of Submissions*, is to be a maximum of 3000 words, and must be filed within 7 days of the conclusion of the oral part of the Hearing. Only one summary may be filed per Participant, regardless of the number of Review Topics covered in their written or oral submissions.

## **10.5 Co-operation of Participants**

10.5.1 Participants shall co-operate with each other in all matters such as scheduling and procedure to the fullest extent possible.

10.5.2 The Hearing Officers may direct persons who have similar interests to designate one person to act as their representative or to co-ordinate their participation in the Hearing.

## **11. Communications with the Hearing Officers**

11.1 Written communication to the Hearing Officers shall occur only through the Tribunal Secretary of the Environmental Review Tribunal, who shall, for the purposes of this Hearing, be designated the Registrar of the Hearing Office.

11.2 Where a Participant has a representative, all communication between the Hearing Office and the Participant shall be through the representative.

11.3 The Hearing Office shall not be copied on correspondence exchanged by Participants, unless the Hearing Office's Registrar has been consulted.

## **12. Representatives**

12.1 A representative shall file, in a form satisfactory to the Hearing Officers, a written acknowledgement of his or her authorization to represent a Participant. If a representative ceases to represent a Participant, the representative or the Participant shall promptly notify the Hearing Office in writing.

## **13. Consequences of Non-Attendance**

13.1 Where a Participant does not attend on a scheduled Hearing date, the Hearing Officers may proceed in that Participant's absence, unless the Hearing Officers otherwise direct.

## **14. Prior to Commencement of the Oral Part of the Hearing**

14.1 Prior to the commencement of the oral part of the Hearing, the Hearing Officers will issue a Procedural Order:

- (a) identifying Participants;
- (b) determining the length, schedule and location of the participation of each known Participant, including the NEC, at the oral part of the Hearing;
- (c) dealing with any other matters that may assist in the most just and expeditious disposition of the proceeding.

## **15. Hearing Procedure**

### **15.1 Site Visit(s)**

15.1.1 Participants may suggest in their written submissions, by no later than June 1, 2001, that the Hearing Officers conduct a site visit. The Hearing Officers may, at their own discretion, make one or more site visits to better understand the Hearing issues, and may in each case issue directions for the procedures to be followed during the site visit(s).

### **15.2 Evening Sessions**

15.2.1 The Hearing Officers may conduct one or more evening sessions during the course of the oral part of the Hearing.

## **16. Public Access to Hearings and Documents**

### **16.1 Access to Hearings**

16.1.1 The Hearing shall be open to the public.

### **16.2 Access to Documents and the Public Record**

16.2.1 The Hearing Office shall maintain a record for the Hearing which shall include: the Notice of Hearing; Rules of Procedure; any Orders issued by the Hearing Officers, any Procedural Orders, Procedural Directions and Guidelines; all written submissions filed by Participants with the Hearing Office; the written questions asked of persons who have filed written submissions and the answers to the questions; any final written summaries filed and the Hearing Officers' final report to the Niagara Escarpment Commission. Unless otherwise ordered by the Hearing Officers, all persons are entitled to have reasonable access to the public record.

16.2.2 There will be no verbatim (court) reporting services provided by the Hearing Office for the oral part of the Hearing.

16.2.3 If any person feels that they require a transcript of any part of the proceedings they may, with the Hearing Officers' approval, arrange for transcription service at their own expense.

16.2.4 Any person who has arranged for the attendance of a qualified verbatim reporter and who orders a transcript or electronic copy of the proceedings shall also provide, at their expense, an electronic copy to the Hearing Office to become a part of the record.

## **17. Written and Electronic Proceedings**

17.1 The Hearing Officers may decide, in their discretion, to conduct any part of the Hearing in person, by way of written submissions, by telephone conference or electronically by video.

## **18. Media Coverage and Recording of the Oral Part of the Hearing**

18.1 No person shall make a visual or audio recording of any part of the Hearing unless authorized by the Panel Chair.

- 18.2 A written request for authorization should be made to the Panel Chair prior to the Hearing, or orally at the Hearing, before the commencement of the part of the Hearing sought to be recorded.
- 18.3 The Panel Chair will advise those present at the Hearing that a request for visual or audio recording has been made, before the commencement of the part of the Hearing sought to be recorded.
- 18.4 The Panel Chair may refuse to authorize the recording of all or portions of the Hearing if, in his opinion, the recording may inhibit Participants or disrupt the process in any way.
- 18.5 The Panel Chair may authorize the recording of the proceeding subject to any conditions the Hearing Officers consider appropriate.
- 18.6 When recording is authorized, the following guidelines shall be followed, unless the Panel Chair orders otherwise:
  - 18.6.1 only photographic, video and audio equipment which does not produce distracting sound or light shall be used;
  - 18.6.2 when possible, audio pick-up should be from existing audio systems in the hearing facility; and
  - 18.6.3 photographic, video and audio equipment must be positioned unobtrusively on a tripod or table before the proceedings begin and must not be moved while the Hearing is in progress.

## Appendix A *Definitions*

In these Rules, and in any Procedural Directions or Guidelines which may be issued, unless the context requires otherwise,

1. "Hearing" means the Niagara Escarpment Plan Review Hearing held under the *Niagara Escarpment Planning and Development Act*;
2. "Hearing Officers" means the individuals appointed by the Niagara Escarpment Commission to conduct the hearing for the Niagara Escarpment Plan Review initiated by the Honourable John C. Snobelen, Minister of Natural Resources, by letter dated June 15, 1999, one of whom is designated as Panel Chair;
3. "Hearing Office" means the Niagara Escarpment Hearing Office, 2300 Yonge Street, Suite 1201, P.O. Box 2382, Toronto, Ontario, M4P 1E4. Telephone: 416-314-4600; Fax: 416-314-4506; E-mail: NEHOStaff@oeb.gov.on.ca;
4. "Document" includes:
  - (a) a Notice of Hearing; forms, correspondence, memoranda, files, books of account, agreements, reports, charts, graphs, and any other written or pictorial communication;
  - (b) a photograph, map, plan, survey or like thing;
  - (c) information recorded or stored by means of any device, including computer files; and
  - (d) facsimiles or copies of documents.
5. "Fax" means electronic transmission of a facsimile of a document;
6. "File" means to send or deliver a document to the Hearing Office, including delivery by Internet e-mail;
7. "Participant" means a person who has or is granted the status of a Participant under Rule 10.1;
8. "Person" includes a corporation;
9. "Public Record" includes: the Notice of Hearing; Rules of Procedure; Orders issued by the Hearing Officers; any Procedural Orders, Procedural Directions and Guidelines; all written submissions filed by Participants to the Hearing; the written questions asked of persons who have filed written submissions and the answers to the questions; and the Hearing Officers' final report to the Niagara Escarpment Commission.
10. "Representative" means legal counsel or an agent who is authorized to represent a Participant in the Hearing.
11. "Website" means the website of the Niagara Escarpment Hearing Office @ [www.ert.gov.on.ca](http://www.ert.gov.on.ca).

# Procedural Directions and Guideline for the Niagara Escarpment Plan Review Hearing

## *Procedural Direction on Filing of Materials*

### **Methods of Filing Submissions:**

1. The Hearing Officers generally require **all** written materials, including submissions, questions, answers and final summaries to be filed in electronic form. The final format for written text must be Microsoft Word (Windows) or Corel WordPerfect (Windows). The format for any graphic files e.g., a plan, photograph, map, survey, etc., that is not already contained in the written text, must be filed as a .gif file or a .jpg file.

We encourage you to consider not sending any electronic file that exceeds four MB in size. If your submission is larger, consider submitting it in separate files each no larger than four MB in size.

These electronic submissions may be filed in one of the following ways:

- a) by personal delivery to the Registrar, Niagara Escarpment Hearing Office, 2300 Yonge Street, Suite 1201, P.O. Box 2382, Toronto, ON M4P 1E4;
  - b) by regular, certified or registered mail to the Registrar, Niagara Escarpment Hearing Office, 2300 Yonge Street, Suite 1201, P.O. Box 2382, Toronto, ON M4P 1E4;
  - c) by courier service to the Registrar, Niagara Escarpment Hearing Office, 2300 Yonge Street, Suite 1201, P.O. Box 2382, Toronto, ON M4P 1E4;
  - d) by e-mail to: [NEHOStaff@oeb.gov.on.ca](mailto:NEHOStaff@oeb.gov.on.ca); or
  - e) by any other method that the Hearing Officers may direct.
2. In order to ensure procedural fairness in this Hearing, in special circumstances, the Hearing Officers have the discretion to accept written submissions that are not in electronic format. In such cases, the Hearing Officers will endeavour to have such submissions converted to electronic format for website publication in order to provide notice of the submission to other Participants. The Hearing Officers will endeavour to make arrangements to allow Participants access to electronic written submissions, questions, answers and final summary documents at various locations including key areas of the Niagara Escarpment. Persons wishing to be exempt from the requirement to file their written submissions in electronic format, and/or who wish to receive disclosure but are unable to access it through the website, must provide detailed written reasons to the Registrar of the Hearing Office, as to why they require this dispensation from the Hearing Officers.

### **When Service of a Submission is Effective:**

1. Filing of a submission will be considered to be effective when delivered:
  - a) by personal delivery before 4:00 p.m., on the day of delivery, and after that time, on the next business day;
  - b) by registered, certified, or regular mail, on receipt or on the fifth day after the day of mailing, whichever is sooner;
  - c) by courier, including Priority Post, on receipt, or on the second day after the document is given to the courier by the party giving notice, whichever is sooner;
  - d) by e-mail to: [NEHOStaff@oeb.gov.on.ca](mailto:NEHOStaff@oeb.gov.on.ca); or
  - e) if delivered by any other means directed by the Hearing Officers, notice is effective within the time frames specified by the Hearing Officers.
2. The Hearing Office will acknowledge receipt of each submission by the same method of delivery in which submissions were filed with the Niagara Escarpment Hearing Office. Should you not receive an acknowledgement **after** seven (7) days of filing your submission, contact the Niagara Escarpment Hearing Office immediately.
3. The Hearing Office does not have control over the Internet. Every effort will be made to accommodate if the Internet is not operational. In the event that Internet communication is not possible, Participants filing electronic submissions or questions should contact the Hearing Office for instruction on how to proceed to meet a filing deadline.

## *Procedural Direction on Format for Written Submissions*

### 1. Specifications

Wherever possible, written materials filed with the Hearing Office (including submissions, questions, answers and final summaries) are to be filed in electronic format. These documents shall meet the following standards:

- a) Written text is to be filed in electronic format in Microsoft Word (Windows) or Corel WordPerfect (Windows). The text shall be typewritten, with double spaces between the lines and a margin of approximately 40 millimetres on the left-hand side. The Hearing Office prefers the typeface to be Times New Roman format (font size 12) or Arial (font size 12);
- b) Visual and graphic documents larger than 82" x 14" shall be reduced in size to 82" x 14" or 82" x 11" and filed in electronic format. The format, if not contained in the written text, must be filed as a .gif file or a .jpg file. Resolution for these files should be the standard for viewing on the Internet, i.e. 72 pixels per inch;
- c) If the submission covers more than one Review Topic from the Niagara Escarpment Plan Review Terms of Reference, each Review Topic must be addressed separately and must be filed as a separate electronic document;
- d) Each document shall have all pages numbered consecutively (including appendices, tables, figures, etc.) or sections tabbed with the pages within each section numbered consecutively;
- e) Measurements shall be expressed in a form that is most easily understood;
- f) For ease of reference for the public viewing and searching written submissions on the website, a 40 word summary must be provided with each submission filed on a Review Topic;
- g) **An additional paper copy of all written submissions must be filed with the Hearing Office** in order to meet government requirements for record retention and to ensure authenticity of submissions. This copy is to be submitted to the Hearing Office **within 10 days of the original filing**;
- h) Each Participant making a submission shall attach the completed *Form for Submissions Respecting Proposed Changes to the Niagara Escarpment Plan*;
- i) Any Person asking a question based on the written submissions shall attach the completed *Form for Asking Written Questions of Participants Who Have Filed Written Submissions*;
- j) Any Participant answering a written question based on their written submission shall attach the completed *Participant Form for Answering Written Questions*; and

- k) Any Participant requesting an exemption from the requirement to answer a written question based on their written submission, shall attach the completed *Form For Requesting An Exemption From The Requirement To Answer Questions Re: Written Submission*.

## ***Guidelines on Written and Electronic Hearings***

The Hearing Officers may decide to conduct any part of the Hearing in person, by way of a written Hearing, or electronically by video or telephone conference at their discretion, and in coming to their decision, may consider any relevant factors, including:

- a) the suitability of a written or electronic hearing format considering the subject matter of the Hearing;
- b) the convenience of the Participants and the public;
- c) the cost, efficiency and timeliness of proceedings;
- d) the avoidance of unnecessary length or delay;
- e) ensuring a fair and understandable process;
- f) the desirability or necessity of public participation or public access to the Hearing process; and
- g) the fulfillment of the Hearing Officers' statutory mandate, and their mandate as expressed in the Niagara Escarpment Plan Review Terms of Reference, as outlined in Rule 3.1.2.

## FORM FOR SUBMISSIONS RESPECTING PROPOSED CHANGES TO THE NIAGARA ESCARPMENT PLAN

Name of Person requesting Participant status: \_\_\_\_\_

Organization (*if applicable*): \_\_\_\_\_

Address: \_\_\_\_\_

Daytime telephone #: (    ) \_\_\_\_\_ Fax #: (    ) \_\_\_\_\_

E-mail address: \_\_\_\_\_

Date Submission Filed: \_\_\_\_\_

The submission contains separate comments on the following Review Topics from the Terms of Reference:

Review Topics	Your Electronic Document Name(s)
Estate Wineries	
Rural Tourism	
Signage	
Environmental Monitoring	
Intensive Recreational Development in Escarpment Parks and the status of Land Trusts	
New Plan Maps, Plan Errata & Plan Text	

Are your documents in:       Word?      or,       WordPerfect?

Note: Personal contact information will not be published on the website.

Please include a 40 word summary on each topic you are making a written submission on:  
(You may include this summary electronically.)

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Do you wish to make an oral presentation at the Hearing?

- Yes                       No

If yes, which Review Topics will be addressed in your oral presentation?

- |   |   |
|---|---|
| <input type="checkbox"/> Estate Wineries          | <input type="checkbox"/> Intensive Recreational Development in  |
| <input type="checkbox"/> Rural Tourism            | Escarpment Parks and the status of Land                         |
| <input type="checkbox"/> Signage                  | Trusts  |
| <input type="checkbox"/> Environmental Monitoring | <input type="checkbox"/> New Plan Maps, Plan Errata & Plan Text |

At what Hearing location do you wish to make your oral presentation?

- Orangeville     St. Catharines     Owen Sound     Milton

Note: Personal contact information will not be published on the website.

## FORM FOR ASKING WRITTEN QUESTIONS OF PARTICIPANTS WHO HAVE FILED WRITTEN SUBMISSIONS

(Please complete one form for each question or set of questions you ask **each** Participant)

Name of Person asking question: \_\_\_\_\_

Organization (*if applicable*): \_\_\_\_\_

Address: \_\_\_\_\_

Daytime telephone #: (\_\_\_\_) \_\_\_\_\_ Fax #: (\_\_\_\_) \_\_\_\_\_

E-mail address: \_\_\_\_\_

Date Question Filed: \_\_\_\_\_

Name of Participant whose Submission the question(s) is based on:

\_\_\_\_\_

Niagara Escarpment Hearing Office's Submission #: \_\_\_\_\_

Questions must be attached electronically. Did you use:

- Word?            or,            • WordPerfect?

Note: Personal contact information will not be published on the website.

## PARTICIPANT FORM FOR ANSWERING WRITTEN QUESTIONS

(Please complete one form for response to questions from **each** Person asking question(s).)

Name of Participant answering question: \_\_\_\_\_

Organization (*if applicable*): \_\_\_\_\_

Address: \_\_\_\_\_

Daytime telephone #: (\_\_\_\_) \_\_\_\_\_ Fax # (\_\_\_\_) \_\_\_\_\_

E-mail address: \_\_\_\_\_

Date Answer Filed: \_\_\_\_\_

Answering Question Asked by: \_\_\_\_\_

Niagara Escarpment Hearing Office's Question #: \_\_\_\_\_

Responses should be attached electronically. Did you use:

- Word?            or,            • WordPerfect?

Note: Personal contact information will not be published on the website.

**FORM FOR REQUESTING AN EXEMPTION FROM THE  
REQUIREMENT TO  
ANSWER QUESTIONS RE: WRITTEN SUBMISSION**

(Please complete one form for each exemption)

Name of Participant Requesting Exemption: \_\_\_\_\_

Organization (*if applicable*): \_\_\_\_\_

Niagara Escarpment Hearing Office's Written Submission #: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime telephone #: (\_\_\_\_) \_\_\_\_\_ Fax #: (\_\_\_\_) \_\_\_\_\_

Name of Participant who posed the question: \_\_\_\_\_

Organization (*if applicable*): \_\_\_\_\_

Niagara Escarpment Hearing Office's Question #: \_\_\_\_\_

I am requesting an exemption from requirement 5.3 in Procedural Order Number 1, as amended, to answer the following question: [Insert text of question]

I am requesting this exemption on the basis that the question posed is frivolous and vexatious for the following reasons: [Provide detailed reasons for exemption request.]

Note: Personal contact information will not be published \_\_\_\_\_ on the website.