

**Environment and Land  
Tribunals Ontario**

Environmental Review Tribunal

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**Tribunaux de l'environnement et de  
l'aménagement du territoire Ontario**

Tribunal de l'environnement

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Sans Frais: 1-866-448-2248  
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**Status Request Form**

Section 142.1 of the *Environmental Protection Act* with respect to an appeal of a Renewable Energy Approval

A request along with all required information must be received by the Tribunal (ERT) **no later than the deadline indicated in the Notice of Pre-hearing Conference and Hearing** or the ERT may refuse the request

Case Name/Number:		Pre-hearing Conference Date:	
First Name:		Last Name:	
Company Name or Association Name (if applicable):			
E-mail Address:			
Fax No.:			
Daytime Phone Number:		Alternate Phone Number:	
Mailing Address			
Street Address:		Apt./Suite/Unit:	
City/Town:	Province:	Postal Code:	

Status you are requesting: (check one)  
(Please see Appendix 1 for explanations of the different types of status)

Party:

Participant:

Presenter:

The ERT's Rules of Practice (Rule 34) require that any person seeking to be named a Party, Participant or Presenter in a matter before the ERT shall file a written request with the ERT providing certain information. Please complete the following sections:

**If you require additional space, please include at the bottom of the form.**

1. Provide a statement of the issues and facts that you wish to present at the hearing that relate to those matters (grounds) raised in the appeals filed with the ERT. You must contact the ERT at [ertribunalsecretary@ontario.ca](mailto:ertribunalsecretary@ontario.ca) for more information about the appeals before submitting this form to the ERT. Please acknowledge, by checking the following box that you have obtained a copy of the notice(s) of appeal and have read it.

2. Whether (how) your participation is likely to make a relevant contribution to the ERT's determination of whether the renewable energy project as detailed in the approval which has been given by the Director, Ministry of the Environment will: 1) cause serious harm to human health or 2) serious and irreversible harm to plant life, animal life or the natural environment. Please refer to the Notice of Pre-hearing Conference and Hearing to note the ground(s) that have been raised in the appeal(s). The ERT may only deal with the ground(s) noted in the appeal(s).

3. Whether (how) your interests may be affected (either directly or substantially) by the ERT Hearing or the resulting Decision of the ERT.

4. Please outline your interest whether public or private, in the case before the ERT.

I acknowledge by submitting this form I consent to the circulation of this information to the parties to this case and/or their representatives. I also acknowledge that this information will form part of the public record of the ERT.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional information:

## Appendix 1

### **Rules of Practice - Parties, Participants and Presenters**

#### **Naming of a Party**

62. The following persons are Parties for the purpose of the Rules:
- (a) persons specified as Parties by or under the statute under which the proceeding arises;
  - (b) persons otherwise entitled by law to be Parties to the proceeding; and
  - (c) persons who request Party status and are so specified by the Tribunal as Parties for all or part of the proceeding, and on such conditions as the Tribunal considers appropriate.
63. In deciding whether to name a person as a Party to the proceeding, the Tribunal may consider relevant matters including whether:
- (a) a person's interests may be directly and substantially affected by the Hearing or its result;
  - (b) a person has a genuine interest, whether public or private, in the subject matter of the proceeding; and
  - (c) a person is likely to make a relevant contribution to the Tribunal's understanding of the issues in the proceeding.

#### **Role of a Party**

64. A Party to the proceeding before the Tribunal may:
- (a) bring motions;
  - (b) be a witness at the Hearing;
  - (c) be questioned by the Parties;
  - (d) call witnesses at the Hearing;
  - (e) cross-examine witnesses;
  - (f) make submissions to the Tribunal, including final argument;
  - (g) receive copies of all documents exchanged or filed by the Parties;
  - (h) participate in a mediation;
  - (i) attend site visits; and
  - (j) claim costs or be liable to pay costs where permitted by law.

#### **Co-operation of Parties**

65. Parties shall co-operate with each other in matters such as scheduling, disclosure, procedure and agreements on uncontested facts to the fullest extent that is compatible with their interests.

#### **Naming of a Participant**

66. The Tribunal may name persons to be Participants in all or part of a proceeding on such conditions as the Tribunal considers appropriate. A Participant to a proceeding is not a Party to the proceeding. In deciding whether to name a person as a Participant, the Tribunal may consider whether the person's connection to the subject matter of the proceeding or issues in dispute is more remote than a Party's would be. A person who may otherwise qualify as a Party may request Participant status.

#### **Role of a Participant**

67. A Participant in a Hearing may:
- (a) be a witness at the Hearing;
  - (b) be questioned by the Parties;
  - (c) make oral and written submissions to the Tribunal at the commencement and at the end of the Hearing;
  - (d) upon request, receive a copy of documents exchanged by the Parties that are relevant to the Participant's interests; and
  - (e) attend site visits.

68. A Participant in a Hearing may not:
- (a) raise issues that have not already been raised by a Party;
  - (b) call witnesses;
  - (c) cross-examine witnesses;
  - (d) bring motions;
  - (e) participate in a mediation, unless permitted to do so by the Tribunal; and
  - (f) claim costs or be liable for costs.

### **Naming of a Presenter**

69. The Tribunal may name persons to be Presenters in all or part of a proceeding on such conditions as the Tribunal considers appropriate. A Presenter to a proceeding is not a Party to the proceeding. In deciding whether to name a person as a Presenter, the Tribunal may consider whether the person's connection to the subject matter of the proceeding or issues in dispute is more remote than a Party's or Participant's would be. A person who may otherwise qualify as a Party or Participant may request Presenter status.

### **Role of a Presenter**

70. A Presenter in a Hearing may:
- (a) be a witness and present his or her relevant evidence at a pre-arranged time, either during a Hearing's regular day-time session or at a special evening session;
  - (b) be questioned by the Parties;
  - (c) provide the Tribunal with a written statement as a supplement to oral testimony; and
  - (d) upon request, receive a copy of documents exchanged by the Parties that are relevant to the Presenter's interests.
71. A Presenter in a Hearing may not:
- (a) raise issues that have not already been raised by a Party;
  - (b) call witnesses;
  - (c) cross-examine witnesses;
  - (d) bring motions;
  - (e) make oral and written submissions to the Tribunal at the commencement and at the end of the Hearing;
  - (f) participate in a mediation, unless permitted to do so by the Tribunal;
  - (g) attend site visits unless permitted to do so by the Tribunal; and
  - (h) claim costs or be liable for costs.

### **Similar Interests**

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

A complete copy of the ERT's Rules of Practice and Practice Directions can be found at <http://www.elto.gov.on.ca>.