

Media Release

Trillium Power successful with Ontario far-offshore wind ruling at Ontario Court of Appeal: \$2.25 Billion Claim to Proceed

(November 13, 2013, Toronto, Canada) Trillium Power Wind Corporation (Trillium Power) has won its Appeal of the Rule 21 Motion decision (a mechanism to summarily dispose of an action), originally delivered by Mr. Justice Robert Goldstein on October 5, 2012.

Yesterday's Ontario Court of Appeal ruling will allow Trillium Power its day in court to seek damages of \$2.25 Billion arising from Trillium Power's claims of "misfeasance in public office" by the Ministries named in the action.

Trillium Power claims that it had been specifically targeted by the February 11, 2011 press release which was issued the same afternoon as Trillium Power was receiving a \$26MM tranche of its financing deal.

The Government of Ontario lawyers filed the Rule 21 Motion in response to Trillium Power's suit against the Crown after the Province's cancellation of all near-shore, offshore and far-offshore wind projects in February 2011. At that time, Trillium Power was well advanced in developing several far-offshore wind projects located between 10 and 120 kilometers from the mainland in The Great Lakes – especially its TPW1 location (see attached map).

John Kourtoff, President & CEO, Trillium Power Wind Corporation was quick to observe that, "While Trillium Power is pleased with the decision rendered today, we have always held that litigation was our last choice after trying everything else. We remain open to working in cooperation with the new Premier, Hon. Kathleen Wynne, and her Ministers to remedy this unfortunate situation that they inherited. The goal is for Ontario to regain its North American leadership position in advancing far-offshore wind generation projects."

Kourtoff also states, "Trillium Power appreciates today's decision by the Court. We now have an opportunity to go forward and present our evidence and air the facts regarding the improper actions that were taken against us by the previous government. We want to work with the new Ontario government and hope that they seriously consider a dialog with Trillium Power. Trillium Power wants to remove the \$2.25 Billion financial risk to Ontarians."

Trillium Power remains hopeful of developing its TPW1 far-offshore wind site in eastern Lake Ontario which will not be visible from shore. As a Toronto-based company supported by Canadian investors, Trillium Power's far-offshore wind projects have the potential to drive local economic development and provide good jobs in Ontario, while producing clean, renewable and reliable power.

A copy of the ruling is available at <http://www.ontariocourts.ca/decisions/2013/2013ONCA0683.htm>.

For more information, or to schedule an interview, please contact:

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Background

The Ontario government media release announcing its intention was distributed on the afternoon of Friday, February 11, 2011. This occurred one hour before Trillium Power was to complete financing arrangements for its TPW1 offshore wind project located 28 km from shore in Lake Ontario. Courtesy notifications of the financial closing had been provided to the Government on the two (2) preceding days. The Province's media release (<http://news.ontario.ca/ene/en/2011/02/ontario-rules-out-offshore-wind-projects.html>) announced an immediate moratorium on approving offshore wind projects. The Environmental Bill of Rights, <http://www.ebr.gov.on.ca> (EBR Registry# 011-0907) outlines the actual action taken by the Province, being the cancellation and confiscation of all existing offshore wind applications including those with Applicant of Record (AoR).

The offshore wind production potential of The Great Lakes is immense and remains Ontario's largest near-term reliable renewable energy asset. Very conservative estimates see it as a \$250 billion industry over a 10-year period. Subsequent to the Ontario announcement, the US Federal government has accelerated their support for offshore wind, including in The Great Lakes. Trillium Power has always been steadfast against any near-shore developments.

Trillium Power's proposed 'TPW1' far-Offshore Wind site is located in the centre of Lake Ontario, 28 km from the mainland, directly beside the international border with the USA. The TPW1 site is recognized as the most optimal Offshore Wind location in The Great Lakes. The development of TPW1 would jump-start the creation of several thousand Ontario-based sustainable manufacturing jobs, over \$1.6 Billion in private sector investment in Ontario and generate between 420 MW and 600 MW of clean, reliable, non-risky and stable-priced electricity for the benefit of all Ontarians.

The Conference Board of Canada report of December 8, 2010 *Economic and Employment of Ontario's Future Offshore Wind Power Industry* confirmed that the development of less than 6% of Ontario's shallow water offshore wind potential in The Great Lakes would generate at least "\$1.03 Billion in personal and indirect taxes not including corporate taxes", "between 55,000 and 62,000 person-years of construction employment", "generate 6,700 direct permanent supply chain jobs" and "boost real GDP by a cumulative \$4.8 to \$5.6 Billion."

