

Appendix L:
CHIEF ELECTED OFFICIAL
DOCUMENTATION
(Exhibit A-4.1)

Fremont Township



Algonquin Power (MI Energy Developments) LLC
d/b/a Liberty Power
354 Davis Rd, Suite 100
Oakville, Ontario, Canada L6J 2X1
T 905-465-4500
F 905-465-4514
libertyenergyandwater.com

December 3, 2024

VIA REGULAR U.S. MAIL, CERTIFIED U.S. MAIL, AND VIA EMAIL TO:
Mr. Mark Kenward, Fremont Township Supervisor

Mr. Mark Kenward
Fremont Township Supervisor
2512 East Galbraith Line
Yale, MI 48097

Dear Mr. Kenward,

Pursuant to Act 233 of the Public Acts of Michigan of 2023, MCL 460.1221, et seq. ("Act 233"), Liberty formally offers in writing to meet with the Township's chief elected official or the chief elected official's designee to discuss Liberty's site plan for a wind energy facility in accordance with Section 223(2) of Act 233.

Please contact the undersigned to set up a date, time, and location for this meeting to occur within 30 days.

Sincerely,

Algonquin Power (MI Energy Developments) LLC d/b/a Liberty Power

A handwritten signature in blue ink, appearing to read 'Nelson Moleiro', is written over the typed name.

Nelson Moleiro, Sr. Manager, Projects

647-296-6022
nelson.moleiro@algonquinpower.com

cc: Sonya Francis, Fremont Township Clerk, via email to fremonttownship1@gmail.com, for Township Board distribution
David T. Caldon, Varnum, LLP, via email to dtcaldon@varnumlaw.com
Seth B. Arthur, Varnum LLP, via email to sbarthur@varnumlaw.com

Nelson Moleiro
Senior Manager
Algonquin Power
d/b/a Liberty Power
354 Davis Rd, Suite 100
Oakville, Ontario, Canada L6J 2X1

Re: Offer to Meet

Dear Mr. Moleiro:

Fremont Township received your letter dated December 3, 2024, offering to meet with the Township's chief elected official concerning a proposed wind energy development.

We note that your letter does not comply with PA 233 of 2023 to the extent that you claim that Township has only 30 days from the date of your letter to meet with Liberty. PA 233 contains no such requirement. The statute instead references a 30-day period for the Township to submit notice of its compatible renewable energy ordinance, which period begins to run when the site plan meeting occurs. Section 223 of PA 233 states:

(2) At least 60 days before a public meeting held under subsection (1), the electric provider or IPP planning to construct an energy facility shall offer in writing to meet with the chief elected official of each affected local unit, or the chief elected official's designee, to discuss the site plan.

(3) If, **within 30 days following a meeting described in subsection (2)**, the chief elected official of each affected local unit notifies the electric provider or IPP planning to construct the energy facility that the affected local unit has a compatible renewable energy ordinance, then the electric provider or IPP shall file for approval with each affected local unit.

Because of the busy schedules surrounding the holiday season, the Township's earliest available meeting dates are in January 2025. The Township Supervisor (its chief elected official) and Township Clerk are available to meet on any of the following dates and times to discuss the site plan for the proposed project:

Date: January 27th at 11 am at Fremont Township Hall

Date: January 29th at 11 am at Fremont Township Hall

Date: January 30th at 10 am at Fremont Township Hall

Please confirm which date you prefer, and please submit the site plan at least seven days before the meeting to allow adequate time for meeting preparations. The Township Supervisor and Clerk will meet with two representatives from the company and please name the individuals from Liberty that will attend. Further, because of the pending litigation between the Township

and Liberty, Liberty's legal counsel is not invited to the meeting with the Township Supervisor and Clerk.

Please be further advised that Fremont Township has a compatible renewable energy ordinance pursuant to PA 233, which has been affirmed by the voters of Fremont Township.

We will review your site plan and subsequent application pursuant to Fremont Township's Zoning Ordinance. Please contact me with any questions.

Thank you,

Sonya Francis, Fremont Township Clerk

January 17, 2025

Mark Kenward
Fremont Township Supervisor
2512 East Galbraith Line
Yale, Michigan 48097

Re: Offer to Meet under Public Act 233 of 2023

Dear Mr. Kenward:

As you know, Algonquin Power (MI Energy Developments) LLC d/b/a Liberty Power¹ submitted a written offer to meet — as it relates to a proposed wind project — under Public Act 233 of 2023, MCL 460.1221, et seq. ("PA 233"), to the chief elected official of Fremont Township ("Township"). REV has received the Township Clerk's January 3, 2025 response letter. REV agrees to meet with you on January 30, 2025 at 10 am at the Fremont Township Hall to discuss the proposed wind project's site plan, per MCL 460.1223(2).

Your January 3rd letter requests REV submit a site plan at least seven days prior to the scheduled meeting and explains that only two REV representatives can attend and must be identified prior to the meeting. Nothing in PA 233 requires the same. Instead, MCL 460.1223(2) merely requires the parties to meet "to discuss the site plan." REV is indeed required to send a copy of the site plan to the Township Clerk 30 days before a public meeting, but not prior to this preliminary meeting. MCL 460.1223(1). Accordingly, REV will attend the January 30th meeting to discuss the proposed Project's site plan and may have visuals for reference at that time. Though not required by PA 233 (and as a demonstration of good-faith) REV tentatively anticipates that Nelson Moleiro and Sebastian Tejada will attend the meeting on REV's behalf. In addition, REV understands that — as indicated in your letter — the Township believes that it has a compatible renewable energy ordinance under PA 233. As a result, REV recognizes that the Township's notice requirement under MCL 460.1223(3) is satisfied.

Lastly, your letter suggests REV's legal counsel is unable to attend the January 30th meeting, due to pending litigation. However, the parties are not meeting to discuss any pending litigation, or the previously denied special land use permit. Instead, the parties are meeting to discuss the site plan for a new application that REV will be submitting under PA 233. As such, REV disagrees with the

¹ Please note that as of January 8, 2025 Liberty Power sold its assets to REV Renewables. As a result, Algonquin Power (MI Energy Developments) LLC will be d/b/a REV Renewables ("REV") and it will be developing the Riverbend Wind Project moving forward.



Township's position and fully believes it has the right to be represented by legal counsel at the meeting. REV reserves all rights in this regard. Notwithstanding the foregoing, REV understands that the Township's legal counsel will not be attending the January 30th meeting, and given as much, REV's legal counsel will also not attend the January 30th meeting.

Very truly yours,

Algonquin Power (MI Energy Developments) LLC d/b/a REV Renewables

A handwritten signature in blue ink, appearing to be "N. Moleiro", written over a light blue circular stamp.

Nelson Moleiro, Director, Project Development

C: 647-296-6022

E: nmoleiro@revrenewables.com

cc: Sonya Francis, Fremont Township Clerk, via email to fremonttownship1@gmail.com, for Township Board distribution
Sebastian Tejada, REV Renewables, via email to stejada@revrenewables.com
David T. Caldon, Varnum, LLP, via email to dtcaldon@varnumlaw.com
Seth B. Arthur, Varnum LLP, via email to sbarthur@varnumlaw.com

January 23, 2025

Nelson Moleiro, Director, Project Development
Algonquin Power LLC d/b/a REV Renewables
575 5th Avenue Suite 2501
New York, NY 10017
C: 647-296-6022
E: nmoleiro@revrenewables.com

Re: Confirmation to Meet

Dear Mr. Moleiro:

Fremont Township received your response dated January 17, 2025.

Supervisor Mark Kenward and I will meet with you and Sebastian Tejada at the Fremont Township Hall located at 2512 Galbraith Line Rd., Yale Michigan at 10 a.m. on Thursday, January 30th, 2025.

Thank you,

Sonya Francis, Fremont Township Clerk

Speaker Township



Algonquin Power (MI Energy Developments) LLC
d/b/a Liberty Power
354 Davis Rd, Suite 100
Oakville, Ontario, Canada L6J 2X1
T 905-465-4500
F 905-465-4514
libertyenergyandwater.com

December 3, 2024

VIA REGULAR U.S. MAIL, CERTIFIED U.S. MAIL, AND VIA EMAIL TO:
Mr. William Maitland, Speaker Township Supervisor

Mr. William Maitland
Speaker Township Supervisor
7630 North Brockway Road
Melvin, MI 48454

Dear Mr. Maitland,

Pursuant to Act 233 of the Public Acts of Michigan of 2023, MCL 460.1221, et seq. ("Act 233"), Liberty formally offers in writing to meet with the Township's chief elected official or the chief elected official's designee to discuss Liberty's site plan for a wind energy facility in accordance with Section 223(2) of Act 233.

Please contact the undersigned to set up a date, time, and location for this meeting to occur within 30 days.

Sincerely,

Algonquin Power (MI Energy Developments) LLC d/b/a Liberty Power

A handwritten signature in blue ink, appearing to read 'N. Moleiro', is positioned above the typed name.

Nelson Moleiro, Sr. Manager, Projects

647-296-6022
nelson.moleiro@algonquinpower.com

cc: Michelle Brown, Speaker Township Clerk, via email to clerk@speakertwpmi.gov, for Township Board distribution
David T. Caldon, Varnum, LLP, via email to dtcaldon@varnumlaw.com
Seth B. Arthur, Varnum LLP, via email to sbarthur@varnumlaw.com

Speaker TOWNSHIP

OFFICE (810) 387-3356 – FAX (810) 387-0853
7630 North Brockway Rd. (M-19) • Melvin, MI 48454

December 27, 2024

Nelson Moleiro
Senior Manager Algonquin Power d/b/a Liberty Power
354 Davis Rd, Suite 100
Oakville, Ontario, Canada L6J 2X1

Re: Offer to Meet

Dear Mr. Moleiro:

Speaker Township received your letter dated December 3, 2024, offering to meet with the Township's chief elected official concerning a proposed wind energy development.

We note that your letter does not comply with PA 233 of 2023 to the extent that you claim that Township has only 30 days from the date of your letter to meet with Liberty. PA 233 contains no such requirement. The statute instead references a 30-day period for the Township to submit notice of its compatible renewable energy ordinance, which period begins to run when the site plan meeting occurs. Section 223 of PA 233 states:

(2) At least 60 days before a public meeting held under subsection (1), the electric provider or IPP planning to construct an energy facility shall offer in writing to meet with the chief elected official of each affected local unit, or the chief elected official's designee, to discuss the site plan.

(3) If, **within 30 days following a meeting described in subsection (2)**, the chief elected official of each affected local unit notifies the electric provider or IPP planning to construct the energy facility that the affected local unit has a compatible renewable energy ordinance, then the electric provider or IPP shall file for approval with each affected local unit.

Because of the busy schedules surrounding the holiday season, the Township's earliest available meeting dates are in January 2025. The Township Supervisor (its chief elected official) is available to meet on any of the following dates and times to discuss the site plan for the proposed project:

Date: January 28, 2025	Time: 2:30 pm	Location: Speaker Township Hall
Date: January 29, 2025	Time: 2:30 pm	Location: Speaker Township Hall
Date: January 30, 2025	Time: 2:30 pm	Location: Speaker Township Hall

Please confirm which date you prefer, and please submit the site plan at least seven days before the meeting to allow adequate time for meeting preparations. Because of the

pending litigation between the Township and Liberty, Liberty's legal counsel is not invited to the meeting with the Township Supervisor, unless the meeting occurs during a public Township Board meeting.

Please be further advised that Speaker Township has a compatible renewable energy ordinance pursuant to PA 233, which has been affirmed by the voters of Speaker Township.

We look forward to reviewing your site plan and subsequent application pursuant to Speaker Township's Zoning Ordinance. Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Carolyn J. Fairman". The signature is written in a cursive style with a large initial 'C' and 'F'.

Carolyn J Fairman
Speaker Township Supervisor

January 17, 2025

Carolyn Fairman
Speaker Township Supervisor
7630 North Brockway Road
Melvin, Michigan 48454

Re: Offer to Meet under Public Act 233 of 2023

Dear Ms. Fairman:

As you know Algonquin Power (MI Energy Developments) LLC d/b/a Liberty Power¹ submitted a written offer to meet — as it relates to a proposed wind project — under Public Act 233 of 2023, MCL 460.1221, et seq. ("PA 233"), to the chief elected official of Speaker Township ("Township"). REV received your December 27, 2024 response letter. REV agrees to meet with you on January 30, 2025 at 2:30 pm at the Speaker Township Hall to discuss the proposed wind project's site plan, per MCL 460.1223(2).

Your December 27th letter requests REV submit a site plan at least seven days prior to the scheduled meeting. Nothing in PA 233 requires REV to do so. Instead, MCL 460.1223(2) merely requires the parties to meet "to discuss the site plan." REV is indeed required to send a copy of the site plan to the Township Clerk 30 days before a public meeting, but not prior to this preliminary meeting. MCL 460.1223(1). Accordingly, REV will attend the January 30th meeting to discuss the proposed Project's site plan and may have visuals for reference at that time. REV also understands that — as indicated in your letter — the Township believes that it has a compatible renewable energy ordinance under PA 233. As a result, REV recognizes that the Township's notice requirement under MCL 460.1223(3) is satisfied.

Lastly, your letter suggests REV's legal counsel is unable to attend the January 30th meeting, due to pending litigation. However, the parties are not meeting to discuss any pending litigation, or the previously denied special land use permit. Instead, the parties are meeting to discuss the site plan for a new application that REV will be submitting under PA 233. As such, REV disagrees with the Township's position and fully believes it has the right to be represented by legal counsel at the meeting. REV reserves all rights in this regard. Notwithstanding the foregoing, REV understands that

¹ Please note that as of January 8, 2025 Liberty Power sold its assets to REV Renewables. As a result, Algonquin Power (MI Energy Developments) LLC will be d/b/a REV Renewables ("REV") and it will be developing the Riverbend Wind Project moving forward.



the Township's legal counsel will not be attending the January 30th meeting, and given as much, REV's legal counsel will also not attend the January 30th meeting.

Very truly yours,

Algonquin Power (MI Energy Developments) LLC d/b/a REV Renewables

A handwritten signature in blue ink, appearing to be "NMoleiro", written over a light blue circular stamp.

Nelson Moleiro, Director, Project Development

C: 647-296-6022

E: nmoleiro@revrenewables.com

cc: Michelle Brown. Speaker Township Clerk, via email to clerk@speakertwpmi.gov, for Township Board distribution.
Sebastian Tejada, REV Renewables, via email to stejada@revrenewables.com
David T. Caldon, Varnum, LLP, via email to dtcaldon@varnumlaw.com
Seth B. Arthur, Varnum LLP, via email to sbarthur@varnumlaw.com

Speaker TOWNSHIP

OFFICE (810) 387-3356 – FAX (810) 387-0853
7630 North Brockway Rd. (M-19) • Melvin, MI 48454

February 24, 2025

Nelson Moleiro
Director, Project Development
REV Renewables, Inc.
5335 Sandusky Rd
Peck, MI 48466

Re: Notification of Speaker Township CREO

Dear Mr. Moleiro:

Following your December 3, 2024 letter sent from Algonquin Power (MI Energy Developments) LLC d/b/a Liberty Power to Speaker Township, the Township met with you and representatives from REV Renewables, Inc., on or about January 30, 2025, regarding Liberty's and/or REV's site plan for a wind energy facility in the Township.

Speaker Township previously notified Liberty, via its response to the December 3, 2024 "written offer to meet" that it has a compatible renewable energy ordinance pursuant to PA 233, which has been affirmed by the voters of Speaker Township.

This letter serves as notice to REV Renewables, Inc. that Speaker Township has a compatible renewable energy ordinance pursuant to PA 233, which has been affirmed by the voters of Speaker Township.

We look forward to reviewing your site plan and subsequent application pursuant to Speaker Township's Zoning Ordinance. Please contact me with any questions.

Sincerely,



Carolyn J Fairman
Speaker Township Supervisor

Elk Township



Algonquin Power (MI Energy Developments) LLC
d/b/a Liberty Power
354 Davis Rd, Suite 100
Oakville, Ontario, Canada L6J 2X1
T 905-465-4500
F 905-465-4514
libertyenergyandwater.com

December 3, 2024

VIA REGULAR U.S. MAIL, CERTIFIED U.S. MAIL, AND VIA EMAIL TO:
Mr. Walter Parke, Elk Township Supervisor

Mr. Walter Parke
Elk Township Supervisor
29 East Lapeer Street
Peck, MI 48466

Dear Mr. Parke,

Pursuant to Act 233 of the Public Acts of Michigan of 2023, MCL 460.1221, et seq. ("Act 233"), Liberty formally offers in writing to meet with the Township's chief elected official or the chief elected official's designee to discuss Liberty's site plan for a wind energy facility in accordance with Section 223(2) of Act 233.

Please contact the undersigned to set up a date, time, and location for this meeting to occur within 30 days.

Sincerely,

Algonquin Power (MI Energy Developments) LLC d/b/a Liberty Power

A handwritten signature in blue ink, appearing to read 'Nelson Moleiro', is placed over the typed name.

Nelson Moleiro, Sr. Manager, Projects

647-296-6022
nelson.moleiro@algonquinpower.com

cc: Wanda Grifka, Elk Township Clerk, via email to wandagrifka@elktpmi.net, for Township Board distribution
David T. Caldon, Varnum, LLP, via email to dtcaldon@varnumlaw.com
Seth B. Arthur, Varnum LLP, via email to sbarthur@varnumlaw.com

Benjamin Sanford

From: Caldon, David T. <dtcaldon@varnumlaw.com>
Sent: Monday, January 20, 2025 4:09 PM
To: Nelson Moleiro; Irene Bezuidenhout; Sebastian Tejada; Rob Nadolny
Cc: Arthur, Seth B.
Subject: FW: Elk Township - Riverbend Wind Project

Caution! This message was sent from outside your organization.

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All,

See below for a confirmation from Elk Township's counsel regarding the fact that the Township does not have a CREO.

Best,

Dave

VARNUM

Varnum LLP
333 Bridge Street NW, Suite 1700
Grand Rapids, Michigan 49504
varnumlaw.com

David T. Caldon
Partner

Direct: 616-336-6232
Email: dtcaldon@varnumlaw.com



CONFIDENTIAL

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From: Brian Garner <bmgarnar@taylorbutterfield.com>
Sent: Monday, January 20, 2025 4:04 PM
To: Arthur, Seth B. <sbarthur@varnumlaw.com>; Caldon, David T. <dtcaldon@varnumlaw.com>
Cc: 'Wanda Grifka' <>wandagrifka@elktwpmi.net>
Subject: Elk Township - Riverbend Wind Project

Mr. Caldon and Mr. Arthur,

Please be advised that I serve as the Elk Township Attorney, and I have been authorized, by my client, to communicate with you regarding your client's wind energy project in the Township.

On January 8, 2025, pursuant to MCL 460.1223(2), the Township Supervisor and Clerk met with your client's representatives to discuss a proposal for collector lines for the Riverbend Wind Project to pass through parcels located in Elk Township. Pursuant to MCL 460.1223(3), my client is required to notify your client within thirty (30) days of that meeting whether or not the Township has adopted a Compatible Renewable Energy Ordinance (CREO). In order to satisfy that statutory requirement, I have been authorized to convey to you that, at this time, Elk Township has not adopted a CREO.

Thank you for your attention to this matter.

Sincerely yours,

Brian M. Garner
Taylor Butterfield, P.C.
407 Clay Street
Lapeer, MI 48446
810-664-5921 - phone
810-664-0904 - fax

NOTICE OF CONFIDENTIALITY: This message and any attachments are from the law firm of Taylor Butterfield, P.C., and may be privileged, confidential, or otherwise protected from disclosure under the electronic and communication privacy act of 1986, 18 U.S.C. Sec. 2510, et seq. (the "ECPA"). This information is intended for the addressee only. If you are not the addressee, or if you have received this message in error, please be aware that any disclosure, copying, distribution or use of the contents of this message, or any attachments is prohibited. If you have received this message in error, please notify us immediately by reply email or telephone (810-664-5921) and destroy the original message and all attachments without retaining any copies. Thank you.