



Ontario Energy Board Commission de l'énergie de l'Ontario

ORDER

EB-2015-0350

STORMFISHER ENVIRONMENTAL LTD.

Application for an Electricity Generation Licence

BY DELEGATION, BEFORE: Peter Fraser
Vice President
Industry Operations & Performance

December 10, 2015

ORDER

StormFisher Environmental Ltd. filed an application dated November 30, 2015 under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act) for an Electricity Generation Licence as a Renewable Energy Standard Offer Program participant.

I have considered the application without holding a hearing pursuant to section 6(4) of the OEB Act.

The applicant has entered into the Asset Purchase Agreement, through a court approved restructuring proceeding, to purchase London Biogas Facility with a contract under the Renewable Energy Standard Offer Program (RESOP) from another party licensed by the OEB. When generation assets are transferred to unlicensed entities, the OEB generally requires the applicant to file a copy of the IESO-executed Assignment and Novation Agreement in confirmation of the transfer of the RESOP contract to the new entity before the licence is granted. However, as stated by the applicant, the RESOP contract with the IESO will be transferred to the applicant once the asset purchase agreement is ratified by the court. Also, at that time all assets will be transferred to the applicant.

After considering the application, I find it to be in the public interest to grant the electricity generation licence with a future effective date.

IT IS ORDERED THAT:

1. The application is granted, on such conditions as are contained in the attached licence.
2. The licence will become effective on the date upon which the applicant files with the OEB an executed copy of the IESO's RESOP Assignment and Novation Agreement in respect of the transferred facility.
3. Schedule 1 to the licence will be completed when the OEB receives written confirmation from the applicant that the generation facility has been transferred to the applicant.

DATED at Toronto December 10, 2015

ONTARIO ENERGY BOARD

Original signed by

Peter Fraser
Vice President, Industry Operations & Performance