



**EB-2008-0258**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S.O.1998, c. 15, Schedule B;

**AND IN THE MATTER OF** an application by Buttcon  
Energy Inc. for an electricity generation licence.

By delegation, before: Jennifer Lea

### **DECISION AND ORDER**

Buttcon Energy Inc. ("Buttcon") filed an application dated July 7, 2008 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act, 1998* for an electricity generation licence to operate an electricity generating plant in Mississauga, Ontario. On September 12, 2008, Buttcon amended its application to include the Windsor cogeneration plant in the licence, as one of the facilities it would operate.

The Board's Notice of Application and Written Hearing for an electricity generation licence was published on September 10, 2008. The Ontario Lottery and Gaming Corporation submitted a letter dated October 10, 2008 with respect to Buttcon's amendment to operate the Windsor cogeneration plant. On November 17, 2008, Buttcon withdrew its request to include the Windsor cogeneration plant from the licence application.

The Board notes that the related owner licence application for the subject facility was filed with the Board on January 26, 2009 (EB-2009-0030); however, that application is currently incomplete and cannot be processed. The owner application identifies an in-service date of January 28, 2009.

It has been the Board's practice to licence both owners and operators of generator facilities. I have some concern that the owner for the facility to be included in the applicant's licence may not be licensed by the time the facility begins generating

electricity for sale through the IESO administered markets. However, given the fact that Buttcon filed a complete application in August 2008, and after considering the information provided as part of this proceeding, I find it to be in the public interest to issue the electricity generation licence to Buttcon under Part V of the Act.

**IT IS THEREFORE ORDERED THAT:**

1. The application for an electricity generation licence is granted, on such conditions as are contained in the attached licence.
2. Buttcon shall promptly notify the Board of the date that the facility begins generating electricity for sale through the IESO administered markets.

**DATED** at Toronto, January 30, 2009.

ONTARIO ENERGY BOARD

*Original signed by*

Jennifer Lea  
Counsel, Special Projects