



EB-2009-0184

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

AND IN THE MATTER OF an application pursuant to section 74 of the *Ontario Energy Board Act, 1998* by AIM Harrow Wind Farm GP Inc. on behalf of AIM Harrow Wind Farm LP to amend its electricity generator licence under the Standard Offer Program.

By delegation, before: Theodore Antonopoulos

DECISION AND ORDER

AIM Harrow Wind Farm GP Inc. on behalf of AIM Harrow Wind Farm LP ("AIM Harrow Wind Farm") filed an application under section 74 of the *Ontario Energy Board Act, 1998*, for an order of the Board to amend its electricity generator licence to change Schedule 1. The Board received the application on June 15, 2009 and a revised application on June 30, 2009.

The licence amendments are granted.

Reasons

AIM Harrow Wind Farm holds electricity generator licence EG-2008-0100 under the Standard Offer Program and is requesting amendments to Schedule 1 to change the descriptions of the locations for one of the turbines listed for Harrow I Wind Farm and two of the turbines listed for Harrow II Wind Farm.

Specifically, the location changes are as follows,

Harrow I Wind Farm, Turbine 13

From: Turbine 13 - Concession 1, Part Lots 90 & 91
To: Turbine 13 – Concession 1, Part Lot 92
(with the same location as Turbine 4)

Harrow II, Turbine 6 & 15

From: Turbine 6 – Concession 1, Part Lot 87
Turbine 15 – Concession 1, Part Lot 84
To: Turbines 6 & 15 – Concession 1, Part Lots 84 and 85

AIM Harrow Wind Farm stated that the location of Turbine 13 required to be changed because the originally planned location required dewatering to prepare the ground for the turbine foundation. AIM Harrow Wind Farm added that it made a relocation decision to avoid the need for dewatering thus avoiding any additional costs, delays and environmental impacts.

AIM Harrow Wind Farm stated the change in locations of Turbines 6 and 15 for Harrow II, is in response to a third party wind developer. The third party developer raised concerns about the potential effects on its future development plans if these two turbines were installed in the originally planned locations. AIM Harrow Wind Farm stated that it reached an agreement with the third party wind developer to relocate Turbines 6 and 15 from its initially planned locations.

AIM Harrow Wind Farm stated that all revised turbine locations have been reviewed and approved by the Ministry of the Environment and an amended Certificate of Approval (Air and Noise) was issued on May 26, 2009. AIM Harrow Wind Farm issued its Statement of Completion on October 17, 2008 and has completed all environmental assessment requirements for the project.

There are no other changes requested to the licence apart from changing the locations of Turbines 13 for Harrow I Wind Farm and Turbines 6 and 15 for Harrow II Wind Farm on Schedule 1 and updating information with respect to the officers of the Licensee. All other provisions remain the same.

I have proceeded without a hearing pursuant to section 21(4)(b) of the Act since no other parties are adversely affected in a material way by the outcome of the proceeding and the AIM Harrow Wind Farm has requested that the matter be disposed of without a hearing.

IT IS ORDERED THAT:

Schedule 1 of AIM Harrow Wind Farm's electricity generator licence EG-2008-0100 is amended as requested to change the locations of Turbines 13 for Harrow I Wind Farm and Turbines 6 and 15 for Harrow II Wind Farm. The amended licence is attached to this Order.

DATED at Toronto, September 10, 2009

ONTARIO ENERGY BOARD

Original signed by

Theodore Antonopoulos
Manager, Electricity Rate Applications



Electricity Generation Licence

EG-2008-0100

AIM Harrow Wind Farm GP Inc. on behalf of AIM Harrow Wind Farm LP

Valid Until

July 22, 2028

Original signed by

Theodore Antonopoulos
Manager, Electricity Rate Applications
Ontario Energy Board
Date of Issuance: July 23, 2008
Date of Amendment: September 10, 2009

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1 Definitions

In this Licence:

"**Act**" means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

"**Electricity Act**" means the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;

"**generation facility**" means a facility for generating electricity or providing ancillary services, other than ancillary services provided by a transmitter or distributor through the operation of a transmission or distribution system and includes any structures, equipment or other things used for that purpose;

"**Licensee**" means AIM Harrow Wind Farm GP Inc. on behalf of AIM Harrow Wind Farm LP;

"**regulation**" means a regulation made under the Act or the Electricity Act;

2 Interpretation

- 2.1 In this Licence words and phrases shall have the meaning ascribed to them in the Act or the Electricity Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of this Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens. Where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part V of the Act and subject to the terms and conditions set out in this licence, to generate electricity or provide ancillary services for sale under a contract entered into as part of a Standard Offer Program offered by the Ontario Power Authority. This Licence authorizes the Licensee only in respect of those facilities set out in Schedule 1.

4 Obligation to Comply with Legislation, Regulations and Market Rules

- 4.1 The Licensee shall comply with all applicable provisions of the Act and the Electricity Act, and regulations under these acts, except where the Licensee has been exempted from such compliance by regulation.
- 4.2 The Licensee shall comply with all applicable Market Rules.

5 Obligation to Maintain System Integrity

- 5.1 Where the IESO has identified, pursuant to the conditions of its licence and the Market Rules, that it is necessary for purposes of maintaining the reliability and security of the IESO-controlled grid, for the Licensee to provide energy or ancillary services, the IESO may require the Licensee to enter into an agreement for the supply of energy or such services.

- 5.2 Where an agreement is entered into in accordance with paragraph 5.1, it shall comply with the applicable provisions of the Market Rules or such other conditions as the Board may consider reasonable. The agreement shall be subject to approval by the Board prior to its implementation. Unresolved disputes relating to the terms of the Agreement, the interpretation of the Agreement, or amendment of the Agreement, may be determined by the Board.

6 Restrictions on Certain Business Activities

- 6.1 Neither the Licensee, nor an affiliate of the Licensee shall acquire an interest in a transmission or distribution system in Ontario, construct a transmission or distribution system in Ontario or purchase shares of a corporation that owns a transmission or distribution system in Ontario except in accordance with section 81 of the Act.

7 Provision of Information to the Board

- 7.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 7.2 Without limiting the generality of paragraph 7.1 the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee, as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

8 Term of Licence

- 8.1 This Licence shall take effect on July 23, 2008 and expire on July 22, 2028. The term of this Licence may be extended by the Board.

9 Fees and Assessments

- 9.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

10 Communication

- 10.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.
- 10.2 All official communication relating to this Licence shall be in writing.
- 10.3 All written communication is to be regarded as having been given by the sender and received by the addressee:
- a) when delivered in person to the addressee by hand, by registered mail or by courier;
 - b) ten (10) business days after the date of posting if the communication is sent by regular mail; or
 - c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

11 Copies of the Licence

11.1 The Licensee shall:

- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
- b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

SCHEDULE 1 LIST OF LICENSED GENERATION FACILITIES

The Licence authorizes the Licensee only in respect to the following:

1. Harrow I Wind Farm, owned and operated by the Licensee in the Municipality of the Town of Essex, County of Essex:
 - Turbines 1 & 7 - Concession 1, Part Lot 95
 - Turbines 2 & 3 – Concession 1, Part Lot 94
 - Turbine 4 & 13- Concession 1, Part Lot 92
 - Switching Station - Concession 1, Part Lots 93 & 94

2. Harrow II Wind Farm, owned and operated by the Licensee in the Municipality of the Town of Essex, County of Essex:
 - Turbines 11 & 5 - Concession 1, Part Lots 90 & 91
 - Turbine 12 - Concession 1, Part Lots 88 & 89
 - Turbine 6 & 15 – Concession 1, Part Lots 84 and 85
 - Turbine 14 – Concession 1, Part Lots 85 & 86

3. Harrow III Wind Farm, owned and operated by the Licensee in the Municipality of the Town of Essex, County of Essex, Ontario:
 - Turbine 23 - Concession 2, Part Lot 2
 - Turbine 9 - Concession 2, Part Lot 4
 - Turbine 8 - Concession 2, Part Lot 4
 - Turbine 10 - Concession 2, Part Lot 5
 - Turbine 22 - Concession 2, Part Lot 2
 - Turbine 24 - Concession 2, Part Lot 3

4. Harrow IV Wind Farm, owned and operated by the Licensee in the Municipality of the Town of Essex, County of Essex:
 - Turbines 36, 20 & 34 - Concession 1, Part Lot 75
 - Turbines 28 & 29 - Concession GORE, Part Lot 1
 - Turbine 30 - Concession GORE, Part Lot 5