



EB-2007-0735

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
Glenridge Gas Utilization Inc. to amend its Electricity
Generation Licence EG-2004-0440.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Glenridge Gas Utilization Inc. ("Glenridge") filed an application with the Ontario Energy Board pursuant to section 74 of the *Ontario Energy Board Act, 1998* for an order of the Board to amend its electricity generation licence (EG-2004-0440). The application was received by the Board on August 22, 2007.

Background

Glenridge requested that Schedule 1 of its electricity generation licence be amended to include an additional generation facility. The additional generation facility, the East Landfill Generation Project, will be located at 2800 Thorold Townline Road, RR#1, Niagara Falls, Ontario. The East Landfill Generation Project will consist of a single 1 MW generator fueled by landfill gas.

Glenridge's existing generation facility is also a generator fueled by landfill gas. It is located at 541 Glenridge Avenue, St. Catharines, Ontario.

There is no change to any of the other information that Glenridge filed as part of its original licence application.

Pursuant to subsection 6(1) of the Act, I have been delegated the powers and duties of the Board with respect to the determination of applications made under section 74 of the Act. This order is made under the authority of that delegation and is based on the evidence filed in support of the application.

The applicant met all of the Board's requirements for obtaining a licence in 2004 and has the technical and financial capability to own and operate the additional generation facility. Furthermore, the applicant has a Standard Offer Program contract with the Ontario Power Authority in relation to this additional generation facility.

After considering the application, I find that it is in the public interest to amend Schedule 1 of Glenridge's electricity generation licence.

I have proceeded without a hearing pursuant to section 21(4)(b) of the Act since no person will be adversely affected in a material way by the outcome of this proceeding and the applicant has consented to disposing of the application without a hearing. While I recognize that a person other than the applicant might have some interest in the location of the generation facility, the choice of location of the generation facility is not within my jurisdiction to determine. The granting of the licence does not mean that the project can proceed without obtaining all other necessary approvals. Therefore, no person will be adversely affected by the outcome of this proceeding (i.e., amending the licence to include the additional generation facility).

IT IS ORDERED THAT:

Schedule 1 of Glenridge Gas Utilization Inc.'s Electricity Generation Licence EG-2004-0440 is amended to include the East Landfill Generation Project. The new licence is attached to this Decision and Order.

Under section 7(1) of the Act this decision may be appealed to the Board within 15 days.

DATED at Toronto, October 29, 2007

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Special Advisor, Market Operations



Electricity Generation Licence

EG-2004-0440

Glenridge Gas Utilization Inc.

Valid Until

March 13, 2025

Original signed by

Jennifer Lea
Special Advisor, Market Operations
Ontario Energy Board
Date of Issuance: March 14, 2005
Date of Amendment: October 29, 2007

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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 Glenridge Gas Utilization Inc.;

"**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:
- a) to generate electricity or provide ancillary services for sale through the IESO-administered markets or directly to another person subject to the conditions set out in this Licence. This Licence authorizes the Licensee only in respect of those facilities set out in Schedule 1;
 - b) to purchase electricity or ancillary services in the IESO-administered markets or directly from a generator subject to the conditions set out in this Licence; and
 - c) to sell electricity or ancillary services through the IESO-administered markets or directly to another person, other than a consumer, subject to the conditions set out in this Licence.

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 March 14, 2005 and expire on March 13, 2025. 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. Glenridge Landfill Gas to electricity facility, owned and operated by the Licensee at 541 Glenridge Avenue, St. Catharines, Ontario.
2. East Landfill Generation Project, owned by the Licensee at 2800 Thorold Townline Road, RR#1, Niagara Falls, Ontario

Glenridge Gas Utilization Inc.
Electricity Generation Licence EG-2004-0440