

Toronto Hydro-Electric System Limited
14 Carlton St. Telephone: 416.542.2517
Toronto, Ontario Facsimile: 416.542.2776
M5B 1K5 regulatoryaffairs@torontohydro.com



January 28, 2011

via RESS – original to follow by mail

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
PO Box 2319
2300 Yonge St, 27th floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Toronto Hydro Electric System Limited
Section 80 Notices – 250 kW Solar (PV) Generation Projects**

In keeping with the fundamental principles of the *Green Energy Act, 2009*, Toronto Hydro-Electric System Limited (THESL) is pursuing the development of renewable energy supply. Pursuant to section 80 of the *Ontario Energy Board Act, 1998*, THESL hereby encloses notices in respect of two 250 kW Solar projects (the “Solar Projects”).

THESL respectfully submits that a review of the section 80 notices for the Solar Projects is not necessary. The Solar Projects have been selected by way of a competitive process and have successfully been awarded a Feed-in Tariff contract and in granting such a contract, the OPA has conducted a thorough review of the proposed projects including their ability to connect to the distribution system.

In the event, however, that the Board does proceed to review the Solar Projects pursuant to section 82 (a) of the *Ontario Energy Board Act, 1998*, THESL submits that the impact of the proposal would not adversely affect the development and maintenance of a competitive market in that the output capacity and energy production of the proposed projects represent only a small fraction of the overall annual energy supply in Ontario.

Please direct any inquiries to my attention at regulatoryaffairs@torontohydro.com or at 416-542-2841.

Yours truly,

[original signed by]

Ivano Labricciosa
Vice President, Asset Management

/car
encl.

cc. Adrian Pye, Manager, Licence Applications, Ontario Energy Board (by email)

Ontario Energy Board

**Preliminary Filing Requirements
For a Notice of Proposal under Sections 80 and 81
Of the *Ontario Energy Board Act, 1998***

PART 1: GENERAL MINIMUM FILING REQUIREMENTS

1.1 Identification of the Parties

1.1.1 Applicant

Name of Applicant Toronto Hydro-Electric System Limited ("THESL")	File No: (Board Use Only)	
Address of Head Office 14 Carlton Street Toronto, Ontario M5B 1K5	Telephone Number	
	Facsimile Number	
	E-Mail Address	
Name of Individual to Contact Jack Simpson Director, Generation Toronto Hydro-Electric System Limited	Telephone Number (416) 542-3367	
	Facsimile Number (416) 542-3222	
	E-Mail Address simpson@torontohydro.com	

1.1.2 Other Parties to the Transaction or Project

If more than one attach list

Name of Other Party	Board Use Only	
Address of Head Office	Telephone Number	
	Facsimile Number	
	E-Mail Address	
Name of Individual to Contact	Telephone Number	
	Facsimile Number	
	E-Mail Address	

1.2 Relationship between Parties to the Transaction or Project

1.2.1	Attach a list of the officers, directors and shareholders of each of the parties to the proposed transaction or project	
	<p>PARTY: TORONTO HYDRO-ELECTRIC SYSTEM LIMITED</p> <p><u>Officers:</u> Anthony Haines, President Jean-Sebastien Couillard, Chief Financial Officer Lawrence Wilde, Vice-President, Corporate Secretary and General Counsel Ivano Labricciosa, Vice-President, Asset Management Chris Tyrrell, Vice-President, Chief Conservation Officer Pankaj Sardana, Vice-President, Treasurer & Regulatory Affairs Dino Priore, Vice-President, Distribution Services Ben La Pianta, Vice-President, Grid Response Robert Wong, Vice-President, Strategic Management and Vice-President, Information Technology Blair Peberdy, Vice-President, Marketing, Communications and Public Affairs Ave Lethbridge, Vice-President, Organizational Effectiveness, Environment, Health & Safety</p>	

	<p><u>Board of Directors:</u> Clare R. Copeland, Chair Patricia Callon Colum Bastable</p> <p><u>Shareholder:</u> Toronto Hydro Corporation</p>	
1.2.2	Attach a corporate chart describing the relationship between each of the parties to the proposed transaction or project and each of their respective affiliates	
	<pre>graph TD; A[Toronto Hydro Corporation] --- B[Toronto Hydro-Electric System Limited]; A --- C[Toronto Hydro Energy Services Inc.]; A --- D[1798594 Ontario Inc.]</pre>	

1.3 Description of the Businesses of Each of the Parties

1.3.1	Attach a description of the business of each of the parties to the proposed transaction or project, including each of their affiliates licenced under the OEB Act to operate in Ontario for the generation, transmission, distribution, wholesaling or retailing of electricity or providing goods and services to companies licenced under the OEB Act in Ontario ("Electricity Sector Affiliates")	
	<p><u>Toronto Hydro Corporation (THC)</u> is a holding company. THC supervises the operations of, and provides corporate and management services and strategic direction to, its subsidiaries. The sole shareholder of THC is the City of Toronto. THC owns 100% of the shares of the following principal subsidiaries which were incorporated under the Ontario Business Corporations Act.</p> <p><u>Toronto Hydro-Electric System Limited (THESL)</u> is an electricity distribution company that delivers electricity to approximately 690,000 customers located in the City of Toronto.</p> <p><u>Toronto Hydro Energy Services Inc. (TH Energy)</u> provides consolidated billing services and operates generation assets. TH Energy currently owns, and pursuant to a service agreement with the City of Toronto, operates and maintains the street lighting and expressway system in the City of Toronto.</p> <p><u>1798594 Ontario Inc.</u> was incorporated for the purposes of obtaining an electricity distributor licence in the City of Toronto and thereafter, to facilitate the transfer of the Streetlighting System from TH Energy to 1798594 Ontario Inc. and then to THESL by way of merger.</p>	
1.3.2	Attach a description of the geographic territory served by each of the parties to the proposed transaction or project, including each of their Electricity Sector Affiliates, if applicable, and the geographic location of all existing generation facilities	
	Toronto Hydro-Electric System Limited delivers electricity to customers in the City of Toronto. Toronto Hydro Energy Services Inc. is a 50% joint owner of a wind turbine generating facility located at Exhibition Place in Toronto and owns, operates and maintains the street lighting and expressway system in the City of Toronto.	
1.3.3	Attach a breakdown of the annual sales (in C\$, and in MWh) as of the most recent fiscal year end of the existing generation output among the IESO Administered Markets ("IAM), bilateral contracts, and local distribution companies.	
	<p>As of the most recent fiscal year end of 2010, the existing Exhibition Place wind turbine owned 50% by THESL's affiliate, TH Energy, generated a gross revenue of \$116,766. This corresponds to a gross electricity generation of 960 MWh in 2010.</p> <p>At 50% ownership, TH Energy's gross revenue from this existing generation is \$58,383.</p>	
1.3.4	Attach a list identifying all relevant Board licences and approvals held by the parties to the proposed transaction or project and each of their Electricity Sector Affiliates, and any applications currently before the Board, or forthcoming. Please include all Board file numbers.	
	THESL holds Electricity Distribution Licence ED-2002-0497. THESL applications currently before the Board are Application for 2011 Electricity Distribution Rates (EB-2010-0142); Application for a smart sub-metering licence (EB-2010-0233); and Application for Board-Approved CDM Programs (EB-2011-0011).	

	TH Energy holds Electricity Retailer Licence ER-2010-0050 and Electricity Generator Licence EG-2002-0440.	
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1.4 Current Competitive Characteristics of the Market

1.4.1	Describe the generation capacity (in MW), within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, prior to the completion of the proposed transaction or project.	
	THESL has no generation capacity prior to the completion of the proposed project. THESL's affiliate, Toronto Hydro Energy Services Inc., is a 50% joint owner of a wind turbine generating facility of 700 kW at Exhibition Place.	
1.4.2	Describe the generation market share based on actual MWh production as a percent of the Annual Primary Demand, within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, prior to completion of the proposed transaction or project.	
	<p>The Exhibition Place wind turbine owned by THESL's affiliate, TH Energy, generates approximately 1050 MWh of electricity annually. This represents about 0.0007 % of the Annual Primary Demand within Ontario prior to the completion of the proposed project.</p> <p>THESL is also filing at this time a separate Notice of Proposal under Section 80 for the construction of another 250 kW rooftop PV system at Better Living Centre in Exhibition Place in the City of Toronto. If the electricity generated by this project is included, the total annual generation would be 1,539 MWh. This represents about 0.00103 % of the Annual Primary Demand within Ontario prior to the completion of the proposed project.</p>	

1.5 Description of the Proposed Transaction or Project and Impact on Competition – General

1.5.1	Attach a detailed description of the proposed transaction or project, including geographic locations of proposed new transmission or distribution systems, or new generation facilities.	
	The proposed project involves the construction of a 250 kW rooftop solar PV system at 500 Commissioners Street in the City of Toronto. THESL will own and operate this generating facility under the OPA FIT Program.	
1.5.2	Describe the generation capacity (in MW), within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, after the completion of the proposed transaction or project.	
	With this proposed project in place, the generation capacity, including that of THESL's Affiliates in Ontario, will be 1 MW. If the rooftop PV project at Better Living Centre at Exhibition Place mentioned in Section 1.4.2 is also included, the total generation capacity will be 1.25 MW	
1.5.3	Describe the generation market share based on anticipated MWh production as a percentage of the Annual Primary Demand, within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, after the completion of the proposed transaction or project.	
	The anticipated energy production from the generation capacity mentioned in 1.5.2 is estimated at 1471 MWh. After completion of the proposed project, the generation market share of THESL and its Electricity Sector Affiliates will represent less than 0.00098 % of Annual Primary Demand in Ontario (not including Better Living Centre Solar PV Project).	
1.5.4	Attach a short description of the impact, if any, of the proposed transaction or project on competition. If there will be no impact on competition, please state the reasons. Cite specifically the impacts of the proposal on customer choice regarding generation, energy wholesalers, and energy retailers.	
	The output capacity and energy production of the proposed project represent only a small fraction of the overall annual energy supply in Ontario. Therefore the impact on competition will be negligible.	
1.5.5	Provide confirmation that the proposed transaction or project will have no impact on open access to the transmission or distribution system of the parties of their affiliates. If open access will be affected explain how and why.	
	Since the interconnection of the proposed project to the distribution system is made at the project site, no impact on open access to the transmission or distribution system is anticipated. This has been confirmed by the Customer Impact Assessment performed by THESL, a copy of which will be provided upon request.	

1.6 Other Information

1.6.1	Attach confirmation that the parties to the proposed transaction or project are in compliance with all licence and code requirements, and will continue to be in compliance after completion of the proposed transaction or project.	
	THESL confirms that it is in compliance with its Electricity Distribution Licence and the relevant Codes and will continue to be so after completion of the proposed project.	

**PART II: SECTION 80 OF THE ACT-TRANSMITTERS AND DISTRIBUTORS ACQUIRING AN INTEREST
IN GENERATORS OR CONSTRUCTIONG A GENERATION FACILITY**

2.1 Effect on Competition

2.1.2	Describe whether the proposed generation output will be primarily offered into the IAM, sold via bilateral contracts, or for own use.	
	The proposed generation output will be offered under a FIT contract administered by the OPA. The FIT contract reference number is F- 001105-SPV-130-502 (500 Commissioners)	
2.1.3	Provide a description of the generation including fuel source, technology used, maximum capacity output, typical number of hours of operation in a year, and peaking versus base-load character.	
	<p>The fuel source for the proposed generation is the sun's rays by using solar photovoltaic panels to convert light energy into electrical energy. Other operating characteristics of the facility are shown below:</p> <ul style="list-style-type: none"> • Maximum Output: 250 kW • Hours of Operation: 8760 hours annually • Peak/Base Load: 250 kW/43 kW 	
2.1.4	Provide details on whether the generation facility is expected to sign a "must run" contract with the IESO,	
	The proposed generation facility is not expected to sign a "must run" contract with the IESO.	
2.1.5	Provide details of whether the generation facility is expected to serve a "load pocket", or is likely to be "constrained on" due to transmission constraints.	
	The proposed project is classified as a Capacity Allocation Exempt facility under the FIT Program. As such it is not expected to be "constrained on" due to transmission constraints.	

2.2 System Reliability

Section 2.2 must be completed by applicants who are claiming that the proposed transaction or project is required for system reliability under section 82(2)(b) of the Act.

Not Applicable.

2.2.1	Provide reasons why the proposal is required to maintain the reliability of the transmission or distribution system. Provide supporting studies.	
2.2.2	Discuss the effect of the proposal on the adequacy (ability of supply to meet demand) of supply in the relevant control area or distribution region, citing effects on capacity plus reserve levels in comparison to load forecasts.	
2.2.3	Discuss the effect of the proposal on the security (ability of supply to respond to system contingencies) of supply.	
2.2.4	Provide a copy of the IESO Preliminary System Impact Assessment Report, if completed, and the IESO Final System Impact Assessment Report, if completed. If the IESO is not conducting a System Impact Assessment Report, please explain.	

PART III: SECTION 81 OF THE ACT-GENERATORS ACQUIRING AN INTEREST IN OR CONSTRUCTING A TRANSMISSION OR DISTRIBUTION SYSTEM

Not Applicable

3.1.1	Provide a description of the transmission or distribution system being acquired or constructed.	
3.1.2	Provide details on whether the generation facilities owned by the acquiring company are or will be directly connected to the transmission or distribution system being acquired or constructed.	
3.1.3	Provide details of whether the generation facility is expected to serve a “load pocket”, or is likely to be “constrained on” due to transmission constraints.	
3.1.4	Provide details on whether the generation facilities are expected to sign a “must run” contract with the IESO.	

How to Contact the Ontario Energy Board

The Ontario Energy Board is located at:

P.O. Box 2319
2300 Yonge Street, Suite 2701
Toronto, Ontario
M4P 1E4

Telephone:	416-481-1967
Toll Free Number:	1-888-632-6273
Fax:	416-440-7656
Website:	http://www.oeb.gov.on.ca
Board Secretary's e-mail address:	boardsec@otb.gov.on.ca

Ontario Energy Board

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Address of Head Office 14 Carlton Street Toronto, Ontario M5B 1K5	Telephone Number	
	Facsimile Number	
	E-Mail Address	
Name of Individual to Contact Jack Simpson Director, Generation Toronto Hydro-Electric System Limited	Telephone Number (416) 542-3367	
	Facsimile Number (416) 542-3222	
	E-Mail Address simpson@torontohydro.com	

1.1.2 Other Parties to the Transaction or Project

If more than one attach list

Name of Other Party	Board Use Only	
Address of Head Office	Telephone Number	
	Facsimile Number	
	E-Mail Address	
Name of Individual to Contact	Telephone Number	
	Facsimile Number	
	E-Mail Address	

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	<p>PARTY: TORONTO HYDRO-ELECTRIC SYSTEM LIMITED</p> <p><u>Officers:</u> Anthony Haines, President Jean-Sebastien Couillard, Chief Financial Officer Lawrence Wilde, Vice-President, Corporate Secretary and General Counsel Ivano Labricciosa, Vice-President, Asset Management Chris Tyrrell, Vice-President, Chief Conservation Officer Pankaj Sardana, Vice-President, Treasurer & Regulatory Affairs Dino Priore, Vice-President, Distribution Services Ben La Pianta, Vice-President, Grid Response Robert Wong, Vice-President, Strategic Management and Vice-President, Information Technology Blair Peberdy, Vice-President, Marketing, Communications and Public Affairs Ave Lethbridge, Vice-President, Organizational Effectiveness, Environment, Health & Safety</p>	

	<p><u>Board of Directors:</u> Clare R. Copeland, Chair Patricia Callon Colum Bastable</p> <p><u>Shareholder:</u> Toronto Hydro Corporation</p>	
1.2.2	Attach a corporate chart describing the relationship between each of the parties to the proposed transaction or project and each of their respective affiliates	
	<pre>graph TD; A[Toronto Hydro Corporation] --> B[Toronto Hydro-Electric System Limited]; A --> C[Toronto Hydro Energy Services Inc.]; A --> D[1798594 Ontario Inc.]</pre>	

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	<p><u>Toronto Hydro Corporation (THC)</u> is a holding company. THC supervises the operations of, and provides corporate and management services and strategic direction to, its subsidiaries. The sole shareholder of THC is the City of Toronto. THC owns 100% of the shares of the following principal subsidiaries which were incorporated under the Ontario Business Corporations Act.</p> <p><u>Toronto Hydro-Electric System Limited (THESL)</u> is an electricity distribution company that delivers electricity to approximately 690,000 customers located in the City of Toronto.</p> <p><u>Toronto Hydro Energy Services Inc. (TH Energy)</u> provides consolidated billing services and operates generation assets. TH Energy currently owns, and pursuant to a service agreement with the City of Toronto, operates and maintains the street lighting and expressway system in the City of Toronto.</p> <p><u>1798594 Ontario Inc.</u> was incorporated for the purposes of obtaining an electricity distributor licence in the City of Toronto and thereafter, to facilitate the transfer of the Streetlighting System from TH Energy to 1798594 Ontario Inc. and then to THESL by way of merger.</p>	
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	<p>As of the most recent fiscal year end of 2010, the existing Exhibition Place wind turbine owned 50% by THESL's affiliate, TH Energy, generated a gross revenue of \$116,766. This corresponds to a gross electricity generation of 960 MWh in 2010.</p> <p>At 50% ownership, TH Energy's gross revenue from this existing generation is \$58,383.</p>	
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	THESL holds Electricity Distribution Licence ED-2002-0497. THESL applications currently before the Board are Application for 2011 Electricity Distribution Rates (EB-2010-0142); Application for a smart sub-metering licence (EB-2010-0233); and Application for Board-Approved CDM Programs (EB-2011-0011).	

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1.4 Current Competitive Characteristics of the Market

1.4.1	Describe the generation capacity (in MW), within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, prior to the completion of the proposed transaction or project.	
	THESL has no generation capacity prior to the completion of the proposed project. THESL's affiliate, Toronto Hydro Energy Services Inc., is a 50% joint owner of a wind turbine generating facility of 700 kW at Exhibition Place.	
1.4.2	Describe the generation market share based on actual MWh production as a percent of the Annual Primary Demand, within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, prior to completion of the proposed transaction or project.	
	<p>The Exhibition Place wind turbine owned by THESL's affiliate, TH Energy, generates approximately 1,050 MWh of electricity annually. This represents about 0.0007 % of the Annual Primary Demand within Ontario prior to the completion of the proposed project.</p> <p>THESL is also filing concurrently a separate Notice of Proposal under Section 80 for the construction of another 250 kW rooftop PV system at 500 Commissioners Street in the City of Toronto. If the electricity generated by this project is included, the total annual generation would be 1,471 MWh. This represents about 0.00098 % of the Annual Primary Demand within Ontario prior to the completion of the proposed project.</p>	

1.5 Description of the Proposed Transaction or Project and Impact on Competition – General

1.5.1	Attach a detailed description of the proposed transaction or project, including geographic locations of proposed new transmission or distribution systems, or new generation facilities.	
	The proposed project involves the construction of a 250 kW rooftop solar PV system at Better Living Centre at Exhibition Place in the City of Toronto. THESL will own and operate this generating facility under the OPA FIT Program.	
1.5.2	Describe the generation capacity (in MW), within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, after the completion of the proposed transaction or project.	
	With this proposed project in place, the generation capacity, including that of THESL's Affiliates in Ontario, will be 1 MW. If the rooftop PV project at 500 Commissioners Street mentioned in Section 1.4.2 is also included, the total generation capacity will be 1.25 MW.	
1.5.3	Describe the generation market share based on anticipated MWh production as a percentage of the Annual Primary Demand, within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, after the completion of the proposed transaction or project.	
	The anticipated energy production from the generation capacity mentioned in 1.5.2 is estimated at 1,539 MWh. After completion of the proposed project, the generation market share of THESL and its Electricity Sector Affiliates will represent less than 0.001 % of Annual Primary Demand in Ontario (not including 500 Commissioners Street Solar PV Project).	
1.5.4	Attach a short description of the impact, if any, of the proposed transaction or project on competition. If there will be no impact on competition, please state the reasons. Cite specifically the impacts of the proposal on customer choice regarding generation, energy wholesalers, and energy retailers.	
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	Since the interconnection of the proposed project to the distribution system is made at the project site, no impact on open access to the transmission or distribution system is anticipated. This has been confirmed by the Customer Impact Assessment performed by THESL, a copy of which will be provided upon request.	

1.6 Other Information

1.6.1	Attach confirmation that the parties to the proposed transaction or project are in compliance with all licence and code requirements, and will continue to be in compliance after completion of the proposed transaction or project.	
	THESL confirms that it is in compliance with its Electricity Distribution Licence and the relevant Codes and will continue to be so after completion of the proposed project.	

**PART II: SECTION 80 OF THE ACT-TRANSMITTERS AND DISTRIBUTORS ACQUIRING AN INTEREST
IN GENERATORS OR CONSTRUCTIONG A GENERATION FACILITY**

2.1 Effect on Competition

2.1.2	Describe whether the proposed generation output will be primarily offered into the IAM, sold via bilateral contracts, or for own use.	
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2.1.3	Provide a description of the generation including fuel source, technology used, maximum capacity output, typical number of hours of operation in a year, and peaking versus base-load character.	
	<p>The fuel source for the proposed generation is the sun's ray by using solar photovoltaicpanels to convert light energy into electrical energy. Other operating characteristics of the facility are shown below:</p> <ul style="list-style-type: none"> • Maximum Output: 250 kW • Hours of Operation: 8760 hours annually • Peak/Base Load: 250 kW/43 kW 	
2.1.4	Provide details on whether the generation facility is expected to sign a "must run" contract with the IESO,	
	The proposed generation facility is not expected to sign a "must run" contract with the IESO.	
2.1.5	Provide details of whether the generation facility is expected to serve a "load pocket", or is likely to be "constrained on" due to transmission constraints.	
	The proposed project is classified as a Capacity Allocation Exempt facility under the FIT Program. As such it is not expected to be "constrained on" due to transmission constraints.	

2.2 System Reliability

Section 2.2 must be completed by applicants who are claiming that the proposed transaction or project is required for system reliability under section 82(2)(b) of the Act.

Not Applicable.

2.2.1	Provide reasons why the proposal is required to maintain the reliability of the transmission or distribution system. Provide supporting studies.	
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How to Contact the Ontario Energy Board

The Ontario Energy Board is located at:

P.O. Box 2319
2300 Yonge Street, Suite 2701
Toronto, Ontario
M4P 1E4

Telephone:	416-481-1967
Toll Free Number:	1-888-632-6273
Fax:	416-440-7656
Website:	http://www.oeb.gov.on.ca
Board Secretary's e-mail address:	boardsec@otb.gov.on.ca