



EB-2011-0020

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 Ontario Power Generation Inc. to amend Schedule 1 of electricity generator licence EG-2003-0104.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Ontario Power Generation Inc. ("OPG") filed an application on January 18, 2011 with the Ontario Energy Board pursuant to section 74 of the *Ontario Energy Board Act, 1998* to amend Schedule 1 of its electricity generator licence, EG-2003-0104.

OPG requested an amendment to add to its licence authorization to own the following generating stations:

1. Kipling Generating Station;
2. Harmon Generating Station;
3. Smoky Falls Generating Station; and
4. Little Long Generating Station.

OPG's licence previously listed these stations in Schedule 1 as assets owned by OPG. However, the Board granted an earlier application by OPG to transfer ownership to Lower Mattagami Energy Limited Partnership ("LMELP") a subsidiary of OPG. The new application filed January 18, 2011 indicates that

OPG still intends to transfer the stations to LMELP, but due to technical delays, the transfer has not yet occurred. In the meantime, OPG requests a licence amendment to indicate that OPG still owns the stations. At present, the licence of OPG indicates that OPG operates, but does not own the stations.

OPG is also asking the Board for a subsequent licence amendment to again remove the authorization to own the stations from Schedule 1 of OPG's licence when the ownership of the stations is transferred from OPG to LMELP. OPG stated that the transfer is expected to be completed in March 2011.

I have proceeded to decide the application 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 applicant has consented to disposing of the application without a hearing.

I find that it is in the public interest to make an order granting OPG authority to own (as well as operate) the stations to recognize the current situation. However, the authorization to own the stations will expire on April 30, 2011. This date should provide sufficient time for the transfer to LMELP to be completed, according to the application. OPG will retain the authority to operate the stations after the ownership authorization expires.

IT IS THEREFORE ORDERED THAT:

The licence of OPG is amended to authorize OPG to own the four stations listed in the application. This authorization will expire on April 30, 2011.

DATED at Toronto, February 11, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects