



EB-2011-0389

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 SunE Rutley LP for an electricity generation licence.

By delegation, before: Jennifer Lea

DECISION AND ORDER

SunE Rutley LP filed an application dated November 18, 2011 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act, 1998* (the “Act”) for an electricity generation licence as a Feed-In Tariff Program participant. The Board assigned the application file number EB-2011-0389.

As prescribed under section 57 of the Act, all entities generating electricity in the Ontario electricity market are required to hold a licence. The applicant requested an interim licence to allow it to continue with testing and final connection activities scheduled with Hydro One while the Board is considering the final decision on the application. The applicant has advised the interim licence is necessary to meet its commercial operation date for its prospective generation facilities.

Considering the time required to process an application in accordance with the Board’s established practice and procedures, and considering the applicant’s activities, it has been found to be in the public interest to issue an interim order under sections 21(4)(b) and 21(7) of the Act granting a short-term Feed-in-Tariff electricity generation licence to the applicant pending final disposition of the application.

The issuance of this licence is an interim step which gives the Board the opportunity to carefully consider the facts and submissions in this case without prejudicing the applicant in the event that the application is granted. No final decision on the application has been made, and the granting of this interim licence is not an indication that a longer term licence will be granted.

IT IS THEREFORE ORDERED THAT:

1. An interim Feed-in-Tariff electricity generation licence is granted to SunE Rutley LP on such conditions as is contained in the attached licence.
2. The licence will be valid for a period of 2 months from the date of this interim decision and order or until the Board makes a final decision on the Feed-in-Tariff electricity generation licence application, whichever is earlier.

DATED at Toronto, December 5, 2011.

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects