



HAMILTON SOLAR FARM PARTNERSHIP

February 28, 2013

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Via Electronic Mail and Federal Express

RE: EB-2012-0470
Hamilton Solar Farm Partnership ("Applicant")
Response to Notice of Objection – February 21, 2013 – SW Henry ("Commenter")

Dear Ms. Walli,

Pursuant to a certain Notice of Objection dated February 21, 2013, please consider the following responses from Applicant:

1. Agricultural Land Classifications – Commenter questions the project's eligibility with respect to Soil Classification and alleges Applicant misrepresented eligibility. Applicant strongly objects to this assertion and responds that the project was subject to and complied with the Feed-In Tariff Rules Version 1.2 Section 2.0 Eligibility Requirements, as administered by the Ontario Power Authority ("OPA"). Such agricultural land restrictions were, by the Eligibility Requirements, based upon the Canada Land Inventory maps as hosted on the OPA's website, which the Applicant utilized. The commenter suggests that the Oak Ridges Moraine Land Map should be referenced, however it is not applicable to the eligibility of a renewable energy project under the FIT Program or Green Energy Act. Applicant has successfully demonstrated compliance with the prescribed rules as evidenced by Applicant's receipt of Feed-In Tariff Contract #F-000687- SPV-130-505 from the OPA.
2. Alteration of Temperature – Commenter alleges that the environmental effects of the project have not been fully assessed. Applicant disagrees and responds that this project, as with all renewable energy projects proposed in the Province, has been carefully considered and reviewed by the Ministry of the Environment ("MOE") prior to and in conjunction with MOE's issuing the required Renewable Energy Approval ("REA"). In order to receive an REA, a proponent must comply with the requirements of Ontario Regulation 359/09 which requires that the Applicant study the project's potential for negative effects upon the environment. Applicant has demonstrated compliance with these regulations as evidenced by the MOE granting to the Applicant the Renewable Energy Approval #0905-8S7M96, dated May 16, 2012, for the project.
3. Green Energy Act Comment – The Commenter appears to disagree with Ontario Provincial Policy. Without questioning the relevance of the comment, Applicant contends that it has followed the requirements of Ontario's renewable energy policies and the various regulatory requirements thereto, thus the Applicant has satisfied the requirements of the Ontario Energy Board to issue an Electrical Generation License to Applicant.

Accordingly, the Applicant respectfully requests that the Ontario Energy Board grant an Electricity Generation License as the Applicant has complied with the appropriate regulatory requirements of the referenced governmental authorities, including the OPA and the MOE, who hold jurisdiction on the specific items above.

Thank you for the opportunity to respond to filed comments. Please contact the undersigned by phone at (610) 668-0300 or by email at glen@pennenergyrenewables.com should you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Glen Tomkinson', with a long horizontal flourish extending to the right.

Glen Tomkinson

cc: S.W. Henry