



EB-2013-0047

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 Northland Power Solar Empire L.P., Northland Power Solar Martin's Meadows L.P., Northland Power Solar Abitibi L.P., and Northland Power Solar Long Lake L.P. for an order or orders pursuant to section 92 of the *Ontario Energy Board Act, 1998* granting leave to construct transmission facilities in the Town of Cochrane and Township of Clute.

PROCEDURAL ORDER NO. 1
April 9, 2013

Northland Power Solar Empire L.P., Northland Power Solar Martin's Meadows L.P., Northland Power Solar Abitibi L.P., and Northland Power Solar Long Lake L.P. (collectively the "Applicant") have filed an application with the Board, dated February 12, 2013, under sections 92, 96(2), and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B. The Applicant has applied for an order of the Board granting leave to construct an electricity transmission line and related facilities which will connect four solar power generating facilities near the Town of Cochrane to the provincial transmission system. The Applicant is also seeking Board approval of the form of easement agreements that have been or will be offered to affected landowners. The Board has assigned file number EB-2013-0047 to this application.

The Board issued a Notice of Application and Written Hearing on March 7, 2013.

The Board grants the intervention request received from the Independent Electricity System Operator.

Scope of the Board's Jurisdiction

The Board will only approve this application if it finds the electricity transmission line to be in the public interest. In rendering a determination on whether the construction of the electricity transmission line is in the public interest, subsection 96(2) of the Act limits the scope of what the Board shall consider, namely:

1. The interests of consumers with respect to prices and the reliability and quality of electricity service.
2. Where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

The Act does not provide the Board with the jurisdiction to address issues relating to the four solar power generating facilities.

Further, the Act states that leave to construct shall not be granted until the applicant satisfies the Board that it has offered or will offer to each owner of land affected by the approved route or location an agreement in a form approved by the Board. To that end the Board will approve of the form of easement agreements that have been or will be offered to affected landowners.

Request for Confidential Treatment of Land-related Information

In its letter to the Board dated February 12, 2013, the Applicant requested that certain information related to land matters be treated in confidence ("Requested Confidential Information"). The redacted version of the information is included in the pre-filed evidence under Land Matters – Type of Land Rights Table¹, and the un-redacted version has been filed with the Board and contains personal information relating to third party individuals and contractual arrangements made between the Applicant and these individuals.

¹ Exh. F/Tab 1/Sch. 1/pp. 3-4

The Board accepts that this information is “personal information” within the meaning of *Freedom of Information and Protection Privacy Act* (Ontario), and pursuant to section 42 of that act will not release the information publicly. The Applicant’s request to afford this information confidential status is therefore granted.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. The Applicant shall provide a copy of the un-redacted Requested Confidential Information to the IESO counsel or consultant that has executed the Board’s Declaration and Undertaking.
2. If the Board staff or the IESO wish information and material from the Applicant in relation to the application that is in addition to the Applicant’s pre-filed evidence with the Board, and that is relevant to the hearing, it shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **Wednesday, April 17, 2013**. Where possible, the questions should specifically reference the pre-filed evidence.
3. The Applicant shall, on or before **Friday, April 26, 2013**, file with the Board and deliver to the IESO a complete response to each of the interrogatories.

All filings to the Board must quote the file number, EB-2013-0047, be made through the Board’s web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender’s name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

ADDRESS

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

E-mail: Boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

DATED at Toronto, April 9, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

APPLICANT & LIST OF INTERVENORS

Dated: April 9, 2013

Northland Power – four Solar Projects

Leave to Construct Application

Board File No. EB-2013-0047

APPLICANTS

- Northland Power Solar Empire L.P.,
- Northland Power Solar Martin's Meadows L.P.,
- Northland Power Solar Abitibi L.P., and
- Northland Power Solar Long Lake L.P.

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