



EB-2013-0051

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 MOM Solar Limited Partnership for an electricity generation licence under the Feed-In Tariff Program.

By delegation, before: David Richmond

DECISION AND ORDER

MOM Solar Limited Partnership filed an application dated February 14, 2013 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's Notice of Application and Written Hearing for an electricity generation licence was posted on March 8, 2013. No parties responded to the Notice of Application and Written Hearing.

After considering the application, it has been found to be in the public interest to issue the electricity generation licence under Part V of the Act.

IT IS THEREFORE ORDERED THAT:

The application for an electricity generation licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, **April 18, 2013**

ONTARIO ENERGY BOARD

Original signed by

David Richmond
Manager, Electricity Facilities and Infrastructure Applications



Electricity Generation Licence

EG-2013-0051

MOM Solar Limited Partnership

Valid Until

April 17, 2033

Original signed by

David Richmond
Manager, Electricity Facilities and Infrastructure Applications
Ontario Energy Board
Date of Issuance: April 18, 2013

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

Commission de l'énergie de l'Ontario
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1 Definitions

In this Licence:

“**Act**” means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

“**Electricity Act**” means the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;

“**generation facility**” means a facility for generating electricity or providing ancillary services, other than ancillary services provided by a transmitter or distributor through the operation of a transmission or distribution system and includes any structures, equipment or other things used for that purpose;

“**Licensee**” means MOM Solar Limited Partnership;

“**regulation**” means a regulation made under the Act or the Electricity Act;

2 Interpretation

- 2.1 In this Licence words and phrases shall have the meaning ascribed to them in the Act or the Electricity Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of this Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens. Where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part V of the Act and subject to the terms and conditions set out in this licence, to generate electricity or provide an ancillary service for sale under a contract with the Ontario Power Authority and the contract is entered into as part of a standard offer program offered by the Ontario Power Authority. This Licence authorizes the Licensee only in respect of those facilities set out in Schedule 1.

4 Obligation to Comply with Legislation, Regulations and Market Rules

- 4.1 The Licensee shall comply with all applicable provisions of the Act and the Electricity Act, and regulations under these acts, except where the Licensee has been exempted from such compliance by regulation.
- 4.2 The Licensee shall comply with all applicable Market Rules.

5 Obligation to Maintain System Integrity

- 5.1 Where the IESO has identified, pursuant to the conditions of its licence and the Market Rules, that it is necessary for purposes of maintaining the reliability and security of the IESO-controlled

grid, for the Licensee to provide energy or ancillary services, the IESO may require the Licensee to enter into an agreement for the supply of energy or such services.

- 5.2 Where an agreement is entered into in accordance with paragraph 5.1, it shall comply with the applicable provisions of the Market Rules or such other conditions as the Board may consider reasonable. The agreement shall be subject to approval by the Board prior to its implementation. Unresolved disputes relating to the terms of the Agreement, the interpretation of the Agreement, or amendment of the Agreement, may be determined by the Board.

6 Restrictions on Certain Business Activities

- 6.1 Neither the Licensee, nor an affiliate of the Licensee shall acquire an interest in a transmission or distribution system in Ontario, construct a transmission or distribution system in Ontario or purchase shares of a corporation that owns a transmission or distribution system in Ontario except in accordance with section 81 of the Act.

7 Provision of Information to the Board

- 7.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 7.2 Without limiting the generality of paragraph 7.1 the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee, as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

8 Term of Licence

- 8.1 This Licence shall take effect on April 18, 2013 and expire on April 17, 2033. The term of this Licence may be extended by the Board.

9 Fees and Assessments

- 9.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

10 Communication

- 10.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.
- 10.2 All official communication relating to this Licence shall be in writing.
- 10.3 All written communication is to be regarded as having been given by the sender and received by the addressee:
- a) when delivered in person to the addressee by hand, by registered mail or by courier;
 - b) ten (10) business days after the date of posting if the communication is sent by regular mail; or

- c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

11 Copies of the Licence

11.1 The Licensee shall:

- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
- b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

SCHEDULE 1 LIST OF LICENSED GENERATION FACILITIES

The Licence authorizes the Licensee ownership and operation of the following facilities with a combined installed capacity of 7.8 MW located at:

1. 99 Cross Avenue, Oakville ON L6J 2W7
2. 9105 Airport Road, Brampton ON L7L 5V5
3. 90 Billy Bishop Way, Toronto, ON M3K 2C8
4. 825 Caledonia Road, Toronto ON M6B 3L8
5. 7650 Markham Road, Markham, ON L3S 3K1
6. 7 Curity Avenue, Toronto, ON M4B 3L8
7. 63 Woodlawn, Guelph, ON N1H 1G8
8. 60 Great Lakes Drive, Brampton, ON L6R 2K7
9. 60 Grand Marshall Drive, Scarborough, ON M1B 5N6
10. 4630 Sheppard Avenue East, Scarborough, ON M1S 3V5
11. 4200 Garden Street, Brooklin, ON L1R 3K5
12. 4100 Garden Street, Whitby, ON L1R 3K5
13. 35 Pinebush Drive, Cambridge, ON N1R 8E2
14. 3035 Wonderland Road South, London, ON N6L 1R4
15. 2850 Queen Street East, Brampton, ON L6S 6E8
16. 2375 Steeles Avenue West, Toronto, ON M3J 3N2
17. 1983 Kipling Avenue, Etobicoke, ON M9W 4J4
18. 1706 Elgin Mills Road East, Richmond Hill, ON L4S 1M6
19. 1608 The Queensway, Toronto, ON M8Z 1V1
20. 1201 Castlemore Avenue, Markham, ON L6E 0G5
21. 1025 Lakeshore Boulevard East, Toronto, ON M4M 1B4
22. 101 Wicksteed Avenue, Toronto, ON M4G 4H9
23. 10031 McLaughlin Road, Brampton, ON L7A 2X5

24. 10 Great Lakes Drive, Brampton, ON L6R 2K7