



July 19, 2013

BY EMAIL/COURIER

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

Dear Ms. Walli,

Re: Whitby Hydro Electric Corporation

Notice of Proposal under Section 80 of the *Ontario Energy Board Act, 1998*

Whitby Hydro Electric Corporation ("Whitby Hydro") is a licensed electricity distributor in the province of Ontario and is submitting this Notice of Proposal application (attached) as required under section 80 of the *Ontario Energy Board Act, 1998* (the "Act") for your consideration.

Whitby Hydro intends to own, operate and maintain a renewable electricity generation project as contemplated by subsection 71(3) of the Act. The project consists of a 100 kW roof-top mounted solar PV system and involves the sale of electricity to the Ontario Power Authority ("OPA") under the Feed-in Tariff ("FIT") program. The Solar PV System FIT application passed all stages of the FIT evaluation process on July 3, 2013 and is awaiting an offer notice (FIT Application Reference # FIT-GSWXFJZ).

Whitby Hydro respectfully submits that a review of the Notice of Approval for this project is not necessary for the reasons that follow. Whitby Hydro is pursuing this renewable electricity generation project under the fundamental principles of the *Green Energy and Green Economy Act, 2009*. The FIT contract awarded to this project by the OPA was done so through a competitive procurement process administered by the OPA, and in granting the contract a thorough review of the project was conducted by the OPA, including the ability to connect the project to the electric distribution system. Whitby Hydro submits, for the reasons stated above, the project will not adversely affect the development and maintenance of a competitive electricity market in the province of Ontario.

Please let me know if you have any questions with respect to the attached application or if you require further information.

Sincerely,

Original signed by:

Susan Reffle
Vice President
Whitby Hydro Electric Corporation

Ontario Energy Board
Preliminary Filing Requirements
For a Notice of Proposal under Sections 80 and 81
Of the *Ontario Energy Board Act, 1998*

INSTRUCTIONS:

This form applies to all applicants who are providing a Notice of Proposal to the Ontario Energy Board (the "Board") under sections 80 and 81 of the *Ontario Energy Board Act, 1998* (the "Act"), including parties who are also, as part of the same transaction or project, applying for other orders of the Board such as orders under sections 86 and 92 of the Act.

The Board has established this form under section 13 of the Act. Please note that the Board may require information that is additional or supplementary to the information filed in this form and that the filing of the form does not preclude the applicant from filing additional or supplementary information.

PART I: GENERAL MINIMUM FILING REQUIREMENTS

All applicants must complete and file the information requested in Part I.

1.1 Identification of the Parties

1.1.1 Applicant

Name of Applicant: Whitby Hydro Electric Corporation	File No: (Board Use Only)	
Address of Head Office 100 Taunton Rd. E. P.O. Box 59 Whitby, ON L1N 5R8	Telephone Number	
	Facsimile Number	
	E-mail Address	
Name of Individual to Contact Susan Reffle Vice President Whitby Hydro Electric Corporation	Telephone Number 905 444-1983	
	Facsimile Number 905 668-9379	
	E-mail Address sreffle@whitbyhydro.on.ca	

1.1.2 Other Parties to the Transaction or Project

If more than one attach list

Name of Other Party N/A	Board Use Only	
Address of Head Office	Telephone Number	
	Facsimile Number	
	E-mail Address	
Name of Individual to Contact	Telephone Number	
	Facsimile Number	
	E-mail Address	

1.2 Relationship between Parties to the Transaction or Project

1.2.1	<p>Attach a list of the officers, directors and shareholders of each of the parties to the proposed transaction or project.</p> <p>Officers: John Sanderson – President & C.E.O. Ramona Abi-Rashed – Treasurer Heba Shafik – Corporate Secretary</p> <p>Directors: R. Webster D. MacDonald J. Longfield</p> <p>Shareholders: Whitby Hydro Electric Corporation is a wholly-owned subsidiary of Whitby Hydro Energy Corporation. Whitby Hydro Energy Corporation is wholly-owned by the Town of Whitby.</p>	
1.2.2	<p>Attach a corporate chart describing the relationship between each of the parties to the proposed transaction or project and each of their respective affiliates.</p> <p>Whitby Hydro Electric Corporation is a wholly-owned subsidiary of Whitby Hydro Energy Corporation. Whitby Hydro Energy Corporation is wholly-owned by the Town of Whitby (shareholder). Whitby Hydro Energy Corporation also owns Whitby Hydro Energy Services Corporation.</p>	

1.3 Description of the Businesses of Each of the Parties

1.3.1	<p>Attach a description of the business of each of the parties to the proposed transaction or project, including each of their affiliates licenced under the OEB Act to operate in Ontario for the generation, transmission, distribution, wholesaling or retailing of electricity or providing goods and services to companies licenced under the OEB Act in Ontario ("Electricity Sector Affiliates").</p> <p>Whitby Hydro Electric Corporation (Whitby Hydro) is a licensed electricity distributor in the province of Ontario which owns, operates and maintains electricity distribution assets for the distribution of electricity to approximately 41,000 customers in Whitby, Brooklin, Ashburn and Myrtle.</p> <p>Whitby Hydro intends to own, operate and maintain a renewable electricity generation project as provided for in subsection 71(3) of the <i>Ontario Energy Board Act, 1998</i>. The renewable electricity generation project will be subject to a contract with the Ontario Power Authority (OPA) for the sale of electricity under the OPA's Feed-in-Tariff (FIT) program. A generation license application for the project will not be filed with the OEB as the nameplate capacity of the project is less than 500 kW.</p> <p>Whitby Hydro Energy Services Corporation (WHESC) provides a broad range of competitive services and entrepreneurial business solutions. WHESC holds a unit sub-metering licence issued by the Ontario Energy Board.</p>	
1.3.2	<p>Attach a description of the geographic territory served by each of the parties to the proposed transaction or project, including each of their Electricity Sector Affiliates, if applicable, and the geographic location of all existing generation facilities.</p> <p>Whitby Hydro Electric Corporation serves the Town of Whitby as at January 1, 1968, except for:</p> <p>(a) The following lands which are served by Veridian Connections Inc.:</p> <ul style="list-style-type: none"> • Broken Front Concession, Part Lot 34, 2.00 AC; • Broken Front Concession, Part Lot 35, now RP 40R7831, Part 1 Regulator 0.04AC 32.81FR 49.21D; • Concession 6, Part Lot 35, 9.47AC • Concession 8, Part Lot 34, 35.55AC; • Concession 8, Part Lot 34,35, now RP 40R7371, Part 1, 56.50 AC; • Concession 8, Part Lot 34,35; and • Concession 9, Part Lot 35 and Part of Road Allowance, now RP 40R13254, Part 1 205.57 AC <p>(b) The following lands which are served by Hydro One Networks Inc:</p> <ul style="list-style-type: none"> • Concession 9, part lots 21 -26, and 31 – 33 with civic address numbers 165, 275, 345, 365, 395, 425, 445, 465, 485, 525, 545, 565, 585, 605, 625, 665, 675, 1175, 1245, 1375, 1395 on Townline Road West; • Concession 9, part lot 26 with civic address 995 Ashburn Road North; • Concession 9, part lot 34 with civic address 9909 Dagmar Road; • Concession 9, part lot 35 with civic address numbers 9685, 9695, 9885, 9895 on Lake Ridge Road. <p>Whitby Hydro Energy Services Corporation primarily serves customers within in the province of Ontario but has also provided services nationally and internationally.</p> <p>Whitby Hydro Energy Corporation is strictly a holding company for Whitby Hydro Electric Corporation and Whitby Hydro Energy Services Corporation. None of these three companies currently owns generation facilities.</p>	

1.3.3	<p>Attach a breakdown of the annual sales (in C\$, and in MWh) as of the most recent fiscal year end of the existing generation output among the IESO Administered Markets ("IAM"), bilateral contracts, and local distribution companies.</p> <p>Whitby Hydro Electric Corporation does not currently have any sales dollars related to generation output.</p>	
1.3.4	<p>Attach a list identifying all relevant Board licences and approvals held by the parties to the proposed transaction or project and each of their Electricity Sector Affiliates, and any applications currently before the Board, or forthcoming. Please include all Board file numbers.</p> <p>Whitby Hydro Electric Corporation:</p> <ul style="list-style-type: none"> Electricity Distribution License ED-2002-0571 Preparations for the upcoming 2014 IRM Application are underway <p>Whitby Hydro Energy Services Corporation:</p> <ul style="list-style-type: none"> Unit Sub-Metering License ES-2008-0018 (current). A renewal application has been submitted (EB-2013-0257) 	

1.4 Current Competitive Characteristics of the Market

1.4.1	<p>Describe the generation capacity (in MW), within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, prior to the completion of the proposed transaction or project.</p> <p>Whitby Hydro Electric Corporation currently has no generation capacity within the province of Ontario.</p>	
1.4.2	<p>Describe the generation market share based on actual MWh production as a percent of the Annual Primary Demand, within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, prior to completion of the proposed transaction or project.</p> <p>Whitby Hydro Electric Corporation currently has no generation market share as a percent of the Annual Primary Demand, within the Province of Ontario.</p>	

1.5 Description of the Proposed Transaction or Project and Impact on Competition - General

1.5.1	<p>Attach a detailed description of the proposed transaction or project, including geographic locations of proposed new transmission or distribution systems, or new generation facilities.</p> <p>The proposed project is a 100 kW roof-top solar PV system located on the roof of the Whitby Hydro head office located at 100 Taunton Road E., Whitby, Ontario. The solar PV system FIT application passed all stages of the FIT evaluation process on July 3, 2013 and is awaiting an Offer Notice (FIT Application Reference # FIT-GSWXFJZ).</p>	
1.5.2	<p>Describe the generation capacity (in MW), within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, after the completion of the proposed transaction or project.</p> <p>After completion of this project Whitby Hydro and its respective electricity affiliates will have a total installed generation capacity of 100 kW.</p>	

1.5.3	<p>Describe the generation market share based on anticipated MWh production as a percentage of the Annual Primary Demand, within the Province of Ontario, of the parties to the proposed transaction or project, including each of their respective Electricity Sector Affiliates, after the completion of the proposed transaction or project.</p> <p>It is anticipated that this project will produce 126 MWh annually</p>	
1.5.4	<p>Attach a short description of the impact, if any, of the proposed transaction or project on competition. If there will be no impact on competition, please state the reasons. Cite specifically the impacts of the proposal on customer choice regarding generation, energy wholesalers, and energy retailers.</p> <p>There are no competitors and therefore there will be no impact on competition as this is a FIT (Feed-In-Tariff) project awarded by the OPA.</p>	
1.5.5	<p>Provide confirmation that the proposed transaction or project will have no impact on open access to the transmission or distribution system of the parties or their affiliates. If open access will be affected explain how and why.</p> <p>The proposed project will have no impact on open access to the distribution system.</p>	

1.6 Other Information

1.6.1	<p>Attach confirmation that the parties to the proposed transaction or project are in compliance with all licence and code requirements, and will continue to be in compliance after completion of the proposed transaction or project.</p> <p>Whitby Hydro Electric Corporation, to the best of its knowledge, is in compliance with all license and code requirements and will remain in compliance during and following the completion of the renewable electricity generation project identified in this application.</p>	
-------	---	--

PART II: SECTION 80 OF THE ACT—TRANSMITTERS AND DISTRIBUTORS ACQUIRING AN INTEREST IN GENERATORS OR CONSTRUCTING A GENERATION FACILITY

All applicants filing a Notice of Proposal under section 80 of the Act must complete and file the information requested in Part II.

2.1 Effect on Competition

2.1.2	Describe whether the proposed generation output will be primarily offered into the IAM, sold via bilateral contracts, or for own use. The proposed generation output will be subject to a contract with the OPA for the sale of electricity under the FIT program.	
2.1.3	Provide a description of the generation including fuel source, technology used, maximum capacity output, typical number of hours of operation in a year, and peaking versus base-load character. The proposed project is a roof-top solar PV project with a nameplate capacity of 100 kW. The project is expected to produce 126,360 kWh of electricity annually.	
2.1.4	Provide details on whether the generation facility is expected to sign a “must run” contract with the IESO. The proposed project will not be a “must run” facility with the IESO.	
2.1.5	Provide details of whether the generation facility is expected to serve a “load pocket”, or is likely to be “constrained on” due to transmission constraints. The proposed project will not serve a “load pocket” and is not constrained due to transmission system constraints.	

2.2 System Reliability

Section 2.2 must be completed by applicants who are claiming that the proposed transaction or project is required for system reliability under section 82(2)(b) of the Act.

THIS SECTION IS NOT APPLICABLE AS THE PROPOSED PROJECT IS NOT REQUIRED FOR SYSTEM RELIABILITY UNDER SECTION 82(2)(B) OF THE ACT.

2.2.1	Provide reasons why the proposal is required to maintain the reliability of the transmission or distribution system. Provide supporting studies.	
2.2.2	Discuss the effect of the proposal on the adequacy (ability of supply to meet demand) of supply in the relevant control area or distribution region, citing effects on capacity plus reserve levels in comparison to load forecasts.	
2.2.3	Discuss the effect of the proposal on the security (ability of supply to respond to system contingencies) of supply.	
2.2.4	Provide a copy of the IESO Preliminary System Impact Assessment Report, if completed, and the IESO Final System Impact Assessment Report, if completed. If the IESO is not conducting a System Impact Assessment Report, please explain.	

PART III: SECTION 81 OF THE ACT—GENERATORS ACQUIRING AN INTEREST IN OR CONSTRUCTING A TRANSMISSION OR DISTRIBUTION SYSTEM

All applicants filing a Notice of Proposal under section 81 of the Act must complete and file the information requested in Part III.

THIS SECTION IS NOT APPLICABLE TO THIS APPLICATION.

3.1 Effect on Competition

3.1.1	Provide a description of the transmission or distribution system being acquired or constructed.	
3.1.2	Provide details on whether the generation facilities owned by the acquiring company are or will be directly connected to the transmission or distribution system being acquired or constructed.	
3.1.3	Provide details of whether the generation facility is expected to serve a “load pocket”, or is likely to be “constrained on” due to transmission constraints.	
3.1.4	Provide details on whether the generation facilities are expected to sign a “must run” contract with the IESO.	

How to Contact the Ontario Energy Board

The Ontario Energy Board is located at:

P.O. Box 2319
2300 Yonge Street, Suite 2701
Toronto, Ontario
M4P 1E4

Telephone:	416-481-1967
Toll Free Number:	1-888-632-6273
Fax:	416-440-7656
Website:	http://www.oeb.gov.on.ca
Board Secretary's e-mail address:	boardsec@ontarioenergyboard.ca