

Ministry of Energy

Office of the Minister

4th Floor, Hearst Block
900 Bay Street
Toronto ON M7A 2E1
Tel.: 416-327-6758
Fax: 416-327-6754

Ministère de l'Énergie

Bureau du ministre

4^e étage, édifice Hearst
900, rue Bay
Toronto ON M7A 2E1
Tél. : 416 327-6758
Téléc. : 416 327-6754



OCT 28 2013

MC-2013-2841

Mr. Colin Andersen
Chief Executive Officer
Ontario Power Authority
1600-120 Adelaide Street West
Toronto ON M5H 1T1

Dear Mr. Andersen:

Re: Clarification Re: Non-application to First Nation reserves of FIT Program restrictions relating to agricultural lands

I write further to the letters of direction with respect to the Feed-in Tariff (FIT) Program which my predecessors issued to the Ontario Power Authority (OPA). In those directions the OPA was directed not to enter into a FIT contract, or amend an existing FIT contract, for ground-mounted solar photovoltaic generation facilities greater than 10 kW where those facilities were proposed to be located on or relocated to a site that contained certain classes of agricultural land, as set out in detail in prior directions (the "Agricultural Land Restrictions").

In recognition of the authority of band councils elected under the *Indian Act* to make decisions regarding land use on reserves, it is the policy of the Ministry to defer to band councils in relation to the use of agricultural land for power generation purposes.

Therefore, pursuant to my statutory authority under Section 25.35 of the *Electricity Act, 1998*, I hereby direct the OPA not to apply the Agricultural Land Restrictions to projects proposed to be located on reserve lands.

This direction supplements previous directions related to the FIT Program and replaces provisions of these previous directions only to the extent that a particular provision of this direction is inconsistent with a provision of a previous direction.

This direction is effective and binding as of the date hereof.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Bob Chiarelli'.

Bob Chiarelli
Minister