



EB-2013-0360

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF an application pursuant to section 74 of the *Ontario Energy Board Act, 1998* by Markham District Energy Inc. to amend Schedule 1 of electricity generation licence EG-2000-0420.

By delegation, before: Viive Sawler

DECISION AND ORDER

December 23, 2013

Markham District Energy Inc. ("MDEI") filed an application on October 10, 2013 with the Ontario Energy Board pursuant to section 74 of the *Ontario Energy Board Act, 1998* (the "Act"). MDEI seeks to amend Schedule 1 of its electricity generation licence, EG-2000-0420, to authorize MDEI to own and operate the following three electricity generation facilities:

1. Warden Energy Centre CHP -5 MW Plant;
2. Birchmount Energy Centre -3 MW Plant; and
3. BurOak Energy Centre -4 MW Plant.

The facilities are subject to 20 year contracts with the OPA under the Combined Heat and Power Standard Offer Program. In support of its application to amend Schedule 1, MDEI filed with the Board the following evidence:

1. OPA Combined Heat and Power Contract OPA RFP Phase I - 5 MW Plant;
2. OPA Combined Heat and Power Contract CHPSOP-001 – 3 MW Plant; and
3. OPA Combined Heat and Power Contract CHPSOP-002 – 4 MW Plant.

In its application MDEI notified the Board that it has been operating the Warden Energy Centre CHP Plant since 2008 without being licensed for the operation of this facility. The applicant is reminded that it carries the onus of understanding its regulatory obligations. The Board maintains an informative website with dedicated licensing pages containing information, as well as a hotline and email address where inquiries can be made in advance of commencing operations.

I am deciding the application without a hearing pursuant to section 21(4)(b) of the Act since no other parties are adversely affected in a material way by the outcome of the proceeding. As well, the applicant has consented to the disposition of the application without a hearing.

I find that it is in the public interest to grant the amendment to allow MDEI to own and operate the generation facilities. The licence amendment is granted.

IT IS ORDERED THAT:

Schedule 1 of electricity generation licence EG-2000-0420 is amended to authorize Markham District Energy Inc. to own and operate the Warden Energy Centre CHP, the Birchmount Energy Centre, and the BurOak Energy Centre.

The amended licence is attached to this Order.

DATED at Toronto, December 23, 2013

ONTARIO ENERGY BOARD

Original signed by

Viive Sawler
Manager, Licence Applications, Conservation and Reporting