



EB-2014-0020

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 SunE
Welland Ridge LP for an electricity generation licence.

By delegation, before: Viive Sawler

DECISION AND ORDER
March 27, 2014

SunE Welland Ridge LP ("SunE Welland") filed an application on January 17, 2014 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 ("FIT") Program participant.

The Board's Notice of Application and Written Hearing (the "Notice") for an electricity generation licence was posted on February 3, 2014. Carol & Herb Haeberle responded to the Notice by filing two emails on February 24, 2014.

In their two emails, the writers expressed their concerns with various aspects of the solar facility for which the electricity generation licence is being sought including the negative environmental and health impacts of the facility.

On March 3, 2014, SunE Welland responded to the two emails. The applicant noted that it has acquired all permits and approvals necessary for the design, development, and construction of the facility. The applicant further noted that the issues raised in the two emails were addressed in those approval processes.

I have reviewed the concerns raised in the two emails. The concerns raised are not within the scope of the matters considered by the Board in considering an application for a generation licence as a FIT Program participant. Other agencies have the

mandate to oversee areas such as the environmental and regulatory approvals related to the actual generation facilities.

A FIT electricity generation licence permits the licensee to generate electricity or provide an ancillary service for sale under a contract with the Ontario Power Authority (the "OPA"). The licence does not grant approval to build the generation facility itself. It is, therefore, a process for licensing the applicant, not the facility.

In the exercise of its licensing function, the Board's practice is to review a licence application based on the applicant's ability to own and/or operate a generation facility and to participate reliably in Ontario's energy market, i.e. the Board assesses the applicant's financial viability, technical capability and conduct. When an applicant for an electricity generation licence is a FIT Program participant, the OPA undertakes a rigorous assessment of the applicant's financial viability, technical capability and conduct. If the OPA is satisfied with the results of this assessment, the OPA grants the applicant a Notice to Proceed. Because of the rigour of the OPA assessment process, the Board will generally grant a generation licence to an applicant if it has received a Notice to Proceed from the OPA. The information provided by the applicant on this matter is satisfactory, specifically the OPA has entered into a FIT contract with SunE Welland and has provided SunE Welland with a Notice to Proceed.

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, March 27, 2014

ONTARIO ENERGY BOARD

Original signed by

Viive Sawler
Manager, Licensing & Performance Reporting