



EB-2014-0235

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 Bracebridge Generation Ltd. and Parry Sound PowerGen Corporation to amend electricity generation licence EG-2003-0120.

AND IN THE MATTER OF a request pursuant to section 77(5) of the *Ontario Energy Board Act*, 1998, to cancel the electricity generation licences of, Parry Sound PowerGen Corporation EG-2003-0128, Burk's Falls Water Power Corporation, EG-2002-0271, and Bancroft Light and Power Company (2000) Limited, EG-2003-0173.

By delegation, before: Viive Sawler

DECISION AND ORDER

August 7, 2014

Bracebridge Generation Ltd. ("Bracebridge") and Parry Sound PowerGen Corporation ("PSPG") jointly filed an application on July 9, 2014 with the Ontario Energy Board pursuant to section 74 of the *Ontario Energy Board Act*, 1998 (the "Act"), to amend electricity generation licence EG-2003-0120.

The applicants requested that Schedule 1 of Bracebridge's electricity generation licence EG-2003-0120, be amended to include the generation facility currently operated by PSPG under electricity generation licence EG-2003-0128. The generation facility is located in Parry Sound, Ontario. Bracebridge also requested that following this amendment and removal of generation facility that PSPG's licence be cancelled. The Board granted leave for an amalgamation of affiliated distribution companies, Lakeland Power Distribution Ltd. and Parry Sound Power Corporation, under EB-2013-0427/428. The applicants state that as a result of the merging of these distribution entities the related generation entities have been merged into Bracebridge.

In addition, Bracebridge requested that two other generation facilities previously owned and operated by Burk's Falls Water Power Corporation (EG-2002-0271), and Bancroft Light and Power Company (2000) Limited (EG-2003-0173), be added to the Schedule 1 of Bracebridge's licence. The generation facilities are located in Burk's Falls, Ontario and Bancroft, Ontario, respectively.

Bracebridge states that it purchased these generation facilities as part of the sale of Burk's Falls Water Corporation and Bancroft Light and Power Company (2000) Limited in May 2005 and June 2012, respectively. Copies of the sales agreements for each transaction were provided. Bracebridge also requested that following the amendment and removal of the generation facilities that both licences be cancelled.

The applicant requested no hearing under Section 21(4)(b) of the Act and stated that all respective parties are a party to this proceeding and that no other party other than the applicants would be materially affected by the outcome of this proceeding.

I have proceeded to decide the application without a hearing pursuant to section 6(4) of the Act.

The licence amendments are granted and the licences of Burk's Falls Water Corporation, Bancroft Light and Power Company (2000) Limited, and PSPG are cancelled.

IT IS THEREFORE ORDERED THAT:

1. Electricity generation licence EG-2003-0120 is amended as requested. The amended licence is attached to this Order.

2. The electricity generation licences of Burk's Falls Water Corporation (EG-2002-0271), Bancroft Light and Power Company Ltd (EG-2003-0173), and Parry Sound PowerGen Corporation (EG-2003-0128) are cancelled.

DATED at Toronto, August 7, 2014

ONTARIO ENERGY BOARD

Original signed by

Viive Sawler
Manager, Licensing & Performance Reporting



Electricity Generation Licence

EG-2003-0120

Bracebridge Generation Ltd.

Valid Until

October 7, 2023

Original Signed By

Viive Sawler
Manager, Licensing and Performance Reporting
Ontario Energy Board
Date of Issuance: October 8, 2003
Date of Amendment: August 7, 2014

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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 Bracebridge Generation Ltd.;

“**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:
- a) to generate electricity or provide ancillary services for sale through the IESO-administered markets or directly to another person subject to the conditions set out in this Licence. This Licence authorizes the Licensee only in respect of those facilities set out in Schedule 1;
 - b) to purchase electricity or ancillary services in the IESO-administered markets or directly from a generator subject to the conditions set out in this Licence; and
 - c) to sell electricity or ancillary services through the IESO-administered markets or directly to another person, other than a consumer, subject to the conditions set out in this Licence.

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 October 8, 2003 and expire on October 7, 2023. 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 only in respect to the following:

1. High Falls Generating Station owned & operated by the Licensee at 1296 High Falls Road, Bracebridge, Ontario.
2. Wilson Falls Generating Station owned&operated by the Licensee at 500 Wilson Falls Road, Bracebridge, Ontario.
3. Bracebridge Falls Generating Station owned & operated by the Licensee at 35 Wharf Road, Bracebridge, Ontario.
4. Burk's Falls Waterpower Corporation generating station, owned & operated by the Licensee at Sypes St., Plan 26, Lot 1, Burk's Falls, Ontario.
5. Hydro-electric Generation Facility, owned & operated by the Licensee at 37 Mill Street (Highway 62), Bancroft, Ontario.
6. Parry Sound PowerGen Corporation, owned & operated by the Licensee at 2 Cascade Street, Parry Sound, Ontario.