

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.C.
1998, c. 15 (Schd. B);

AND IN THE MATTER OF an application by Greenfield South
Power Corporation for a certificate of public convenience and
necessity, pursuant to section 8 of the *Municipal Franchises Act*,
R.S.O. 1990, c. M. 55.

AMENDED APPLICATION

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IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.C. 1998, c. 15 (Schd. B);

AND IN THE MATTER OF an application by Greenfield South Power Corporation for a certificate of public convenience and necessity, pursuant to section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M. 55.

1. The Applicant, Greenfield South Power Corporation (“**Greenfield South**”), seeks an Order granting a certificate of public convenience and necessity under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M. 55 for the construction of the GEPP Natural Gas Utilization System described in the application materials and related facilities (the “**Equipment**”).
2. In 2005, the Ontario Government selected Greenfield South to develop and construct a 300 megawatt natural gas-fuelled electricity generation facility now known as the Green Electron Power Project (“**GEPP**”) to provide electricity to the IESO-controlled grid pursuant to a 20-year Clean Energy Supply Contract with the OPA. The Project’s original location was Mississauga, Ontario. On July 10, 2012, it was announced that the GEPP would be moved to St. Clair Township, south of Sarnia, Ontario.
3. Construction of the GEPP is well underway. Greenfield South will begin preparations for construction of the Equipment in September 2014. Subject to receipt of the Order being sought in this Application, the Project is expected to be operational for gas commissioning purposes by December 2014.
4. The Equipment will be used transport natural gas to Greenfield South from the Vector pipeline, which runs through the southern portion of Greenfield South’s property. The Equipment will include an NPS 8 line of approximately 450 metres running exclusively across Greenfield South’s privately-owned property, from Vector’s location on Greenfield South’s lands to the GEPP on the same lands. The Equipment will not cross any public or third party lands, any roads, or any other pipelines.
5. This Application will be supported by written evidence that will include details of the GEPP and the Equipment. The written evidence will be pre-filed and may be amended from time to time, prior to the Board’s final decision on this Application.

6. Greenfield South requests that this proceeding be conducted by way of a written hearing pursuant to Section 32.01 of the Board's *Rules of Practice and Procedure*. There will be few interested parties as the Equipment will be constructed solely on Greenfield South's land. Accordingly, a written hearing will be the most efficient procedure.

7. As permitted by section 32.02 of the Board's *Rules of Practice and Procedure*, Greenfield South further requests that this proceeding be conducted on an expedited basis such that a decision of the Board in this matter may be issued no later than December 5, 2014. Construction of the GEPP is already well advanced and the GEPP is scheduled to be operational for gas commissioning in mid-December 2014. Accordingly, the typical hearing schedule would cause a significant delay in commissioning of the GEPP. Greenfield South did not begin this application at an earlier time because it was only recently concluded that a hearing would be advisable to determine its ability to construct the Equipment. Greenfield South had engaged in ongoing discussions with staff at the Ontario Energy Board for several months in an effort to resolve the ambiguity in the *Municipal Franchises Act* and its application in this case. Board staff only recently concluded and advised Greenfield South that, in staff's view, a hearing would be advisable in this case. Greenfield South respectfully seeks the Board's cooperation to ensure that, if the Order sought is granted, the Applicant's good faith efforts to engage with Board staff will not result in commissioning or construction of the Equipment being delayed to the winter months.

8. Greenfield South further requests that, if necessary, the Board exercise its power under section 7.01 of the Board's *Rules of Practice and Procedure* to abridge the time limits directed by these Rules, Practice Directions or by the Board, on such conditions as the Board considers appropriate.

9. This Application is submitted without prejudice to Greenfield South's right and ability to take the position, in a separate proceeding, that a Certificate of Public Convenience and Necessity is not required in respect of the Equipment, and Greenfield South specifically reserves the right to take such a position without prejudice in any proceeding before the Board or any other adjudicator, court, or regulator.

10. Greenfield South requests that a copy of all documents filed with the Board in this proceeding be served on the Applicant and the Applicant's counsel, as follows:

(a) The Applicant: Greenfield South Power Corporation

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(b) The Applicant's lawyers: McMillan LLP

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DATED at Toronto, Ontario, this 25th day of September, 2014.

Greenfield South Power Corporation
by its lawyers,



Mike Richmond