



EB-2014-0266
EB-2014-0267
EB-2014-0268

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 Rainy River First Nations Solar 1 Limited Partnership for an electricity generation licence;

AND IN THE MATTER OF an application by Rainy River First Nations Solar 2 Limited Partnership for an electricity generation licence;

AND IN THE MATTER OF an application by Rainy River First Nations Solar 3 Limited Partnership for an electricity generation licence.

By delegation, before: Viive Sawler

DECISION AND ORDER
September 25, 2014

Rainy River First Nations Solar 1 Limited Partnership, Rainy River First Nations Solar 2 Limited Partnership and Rainy River First Nations Solar 3 Limited Partnership each filed an application on August 12, 2014, under section 60 of the *Ontario Energy Board Act, 1998* for an electricity generation licence as a Feed-in Tariff Program participant. The Board assigned file numbers EB-2014-0266, EB-2014-0267 and EB-2014-0268 to these applications, respectively. Each of the applicants applied for authorization to own and operate a generation facility.

The Board's combined Notice of Application and Written Hearing for the three electricity generation licences was issued on August 25, 2014. No parties responded to the Notice of Application and Written Hearing.

After considering the applications, it has been found to be in the public interest to issue the electricity generation licences under Part V of the Act.

IT IS THEREFORE ORDERED THAT:

The applications for electricity generation licences are granted, on such conditions as are contained in the attached licences.

DATED at Toronto September 25, 2014

ONTARIO ENERGY BOARD

Original signed by

Viive Sawler
Manager, Licensing and Performance Reporting



Electricity Generation Licence

EG-2014-0268

Rainy River First Nations Solar 3 Limited Partnership

Valid Until

September 24, 2034

Original signed by

Viive Sawler
Manager, Licensing & Performance Reporting
Ontario Energy Board
Date of Issuance: September 25, 2014

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Table of Contents

Page No.

1	Definitions	1
2	Interpretation	1
3	Authorization	1
4	Obligation to Comply with Legislation, Regulations and Market Rules	1
5	Obligation to Maintain System Integrity	1
6	Restrictions on Certain Business Activities.....	2
7	Provision of Information to the Board.....	2
8	Term of Licence	2
9	Fees and Assessments.....	2
10	Communication	2
11	Copies of the Licence.....	3
	SCHEDULE 1 LIST OF LICENSED GENERATION FACILITIES	4

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 Rainy River First Nations Solar 3 Limited Partnership;

“**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, to generate electricity or provide an ancillary service for sale under a contract with the Ontario Power Authority and the contract is entered into as part of a standard offer program offered by the Ontario Power Authority. This Licence authorizes the Licensee only in respect of those facilities set out in Schedule 1.

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 September 25, 2014 and expire on September 24, 2034. 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 Licencee only in respect of the following:

1. The ownership and operation of Dave Rampel Solar Park Generation Facility, with an installed capacity of 10 MW, located at Southwest Corner of Gouliquer Rd. and Advent Rd., RRI Rainy River, Township of Dawson, Ontario.