



Ontario Energy Board Commission de l'énergie de l'Ontario

ORDER

EB-2015-0283

TRANSCANADA ENERGY LTD.

**Application for an Amendment to Electricity Generation Licence
EG-2009-0024**

BY DELEGATION, BEFORE: Peter Fraser
Vice President,
Industry Operations & Performance

November 12, 2015

ORDER

TransCanada Energy Ltd. (TransCanada) filed an application dated October 8, 2015 under section 74 of the *Ontario Energy Board Act, 1998* (OEB Act) for an amendment to its Electricity Generation Licence EG-2009-0024.

TransCanada has requested to amend Schedule 1 of its licence to be the owner and operator of 5 solar generation facilities, namely Liskeard 1, Liskeard 3, Liskeard 4, Mississippi Mills and William Rutley. TransCanada states that as of November 30, 2015 it will acquire these facilities from the entities with electricity generation licences currently held by 2225256 Ontario Inc. (EG-2013-0026), 2225342 Ontario Inc. (EG-2013-0027), 2225345 Ontario Inc. (EG-2013-0028), 2225213 Ontario Inc. (EG-2013-0025), and Tempest Power Corp. (EG-2012-0043), respectively. TransCanada also requested under section 77(5) of the OEB Act cancellation of the above mentioned licences following close of the transaction.

I have considered the application without holding a hearing pursuant to section 6(4) of the OEB Act.

I find that it is in the public interest to grant the requested amendment to TransCanada's electricity generation licence and cancel the requested licences pending confirmation in writing from TransCanada that the transaction has been completed.

IT IS ORDERED THAT:

1. TransCanada's application for amendment to Schedule 1 of its Electricity Generation Licence EG-2009-0024 is granted on such conditions as are contained in the attached licence and pending written confirmation of the completion of the transaction.
2. 2225256 Ontario Inc.'s electricity generation licence EG-2013-0026 will be cancelled pending written confirmation of the completion of the transaction.
3. 2225342 Ontario Inc.'s electricity generation licence EG-2013-0027 will be cancelled pending written confirmation of the completion of the transaction.
4. 2225345 Ontario Inc.'s electricity generation licence EG-2013-0028 will be cancelled pending written confirmation of the completion of the transaction.
5. 2225213 Ontario Inc.'s electricity generation licence EG-2013-0025 will be cancelled pending written confirmation of the completion of the transaction.

6. Tempest Power Corp.'s electricity generation licence EG-2012-0043 will be cancelled pending written confirmation of the completion of the transaction.

DATED at Toronto November 12, 2015

ONTARIO ENERGY BOARD

Original signed by

Peter Fraser
Vice President, Industry Operations & Performance



Electricity Generation Licence

EG-2009-0024

TransCanada Energy Ltd.

Valid Until

March 30, 2029

Original signed by

Peter Fraser
Vice President, Industry Operations and Performance
Ontario Energy Board
Date of Issuance: March 31, 2009
Date of Amendment: October 31, 2013
Date of Amendment: November 27, 2014
Date of Amendment: November 12, 2015

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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 TransCanada Energy 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 March 31, 2009 and expire on March 30, 2029. 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. The ownership and operation of Halton Hills Generating Station, with an installed capacity of 683 MW located at Part of Lot 15, Concession 6, 7974 Sixth Line South, Halton Hills, Ontario.
2. The ownership and operation of Brockville 1 Solar generation facility with an installed capacity of 10 MW located at 12 Centennial Road, Brockville, Ontario.
3. The ownership and operation of Brockville 2 Solar generation facility with an installed capacity of 9 MW located at 5061 County Road 29, Brockville, Ontario.
4. The ownership and operation of Burritts Rapids Solar generation facility with an installed capacity of 7 MW located at Part of 4639 Donnelly Rd., Merrickville, Ontario.
5. The ownership and operation of Liskeard 1 generation facility with an installed capacity of 10 MW located at 704137 Rockley Road, Temiskaming Shores, Ontario.
6. The ownership and operation of Liskeard 3 generation facility with an installed capacity of 10 MW located at 704137 Rockley Road, Temiskaming Shores, Ontario.
7. The ownership and operation of Liskeard 4 generation facility with an installed capacity of 10 MW located at 704137 Rockley Road, Temiskaming Shores, Ontario.
8. The ownership and operation of Mississippi Mills generation facility with an installed capacity of 10 MW and located at 419 Concession Road 12 S, Packenham, Ontario.
9. The ownership and operation of William Rutley generation facility with an installed capacity of 10 MW and located at 15041 Colonial Drive, Ingleside, Ontario.