



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

INTERIM ORDER

EB-2016-0268

WPD WHITE PINES WIND INCORPORATED

Order Varying the Decision and Order issued on March 19, 2015

BEFORE: Christine Long
Presiding Member

September 20, 2016

INTRODUCTION AND SUMMARY

On March 19, 2015, the OEB issued a Decision and Order granting wpd White Pines Wind Incorporated (White Pines) leave to construct certain transmission facilities in Prince Edward County. The Decision and Order was issued with certain conditions of approval, including a requirement that White Pines commence construction of the transmission facilities prior to March 19, 2016.

On February 19, 2016, White Pines filed a letter requesting that the OEB extend the construction-commence deadline to March 19, 2017. On March 17, 2016, the OEB issued a Vary Order approving a six-month extension.

As described in this Interim Order, the OEB approves a one-month extension until White Pines files additional information described below.

THE PROCESS

The OEB has decided, pursuant to section 21 (4)(b) of the *Ontario Energy Board Act*, 1998 (the Act), to review and vary the Decision and Order, without a hearing. The OEB has determined that no person will be adversely impacted by the outcome of this proceeding. The OEB will not be re-hearing the merits of the original leave to construct application as that decision has already been determined.

THE APPLICATION

On March 19, 2015, the OEB granted White Pines leave to construct transmission facilities in Prince Edward County. The Decision and Order provided, in part, as follows:

Pursuant to section 92 of the Act, the OEB grants White Pines leave to construct the Transmission Project in accordance with the OEB's decision in this proceeding. The granting of this leave to construct is conditional on the existence of an executed FIT contract between White Pines and the IESO, the fulfillment of the requirements of the SIA Documents, the fulfillment of the requirements of the CIA, and White Pines commencing construction within 12 months of the date of the OEB's decision. (Emphasis added).

On February 19, 2016, White Pines requested that an extension of the construction-commence deadline be granted to March 19, 2017. On March 17, 2016, the OEB approved a six-month extension (EB-2016-0046).

On September 9, 2016, White Pines filed a one-page letter along with its existing Renewal Energy Approval (REA). White Pines requested that due to the ongoing appeal of White Pines' REA at the Environmental Review Tribunal that the project is subject to, an additional six-month extension to the construction-commence deadline be granted by the OEB to June 2017.

OEB FINDINGS

The OEB is aware that there is an ongoing Environmental Review Tribunal process with respect to White Pines' REA. However, White Pines has not filed with the OEB any supporting documentation and information regarding the details of that process. The OEB will provide White Pines a one-month extension to file supporting documentation and/or additional information that provides the schedule of events anticipated in the REA process and any additional information to assist the OEB in making its determination on White Pines' request.

The OEB is varying the construction-commence deadline by one month from today.

THE BOARD ORDERS THAT:

1. The Vary Order in EB-2016-0046, issued March 17, 2016, is varied on an interim basis, such that White Pines' leave to construct is conditional upon White Pines commencing construction within seven months of March 19, 2016.

DATED at Toronto September 20, 2016

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary