



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

ORDER

EB-2016-0312

LINDSAY SOLAR FARM INC.

Application for Transfer of Electricity Generation Licence EG-2014-0258

BY DELEGATION,

BEFORE: Brian Hewson

Vice President, Consumer Protection & Industry Performance

December 1, 2016 (Amended on February 3, 2017)

ORDER

Lindsay Solar Farm Inc. filed an application dated October 20, 2016 under section 18 (2) of the *Ontario Energy Board Act, 1998* (OEB Act) for leave to transfer Electricity Generation Licence EG-2014-0258 to its affiliate Lindsay Solar LP.

Lindsay Solar Farm Inc. stated that as a result of a planned internal re-organization within the Terraform Power, Inc. group of companies, it is transferring the electricity generation licence and along with it the Lindsay Perpetual solar generation facility to its affiliate Lindsay Solar LP.

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

I find that the application should be granted. The evidence in the application indicates that the corporate re-organization will have no impact on the location or operation of the existing facility. Once the re-organization is complete, Lindsay Solar LP will own and operate the generation facility with no disruption to the business.

However, I find that the granting of the application to transfer the licences should be conditioned. For generation licence applicants who operate under a Feed-in Tariff (FIT) contract with the former Ontario Power Authority and now the Independent Electricity System Operator (IESO), proof of signing of a procurement contract is part of the evidence that must be filed with the OEB. When generation assets are transferred to unlicensed entities, the OEB generally requires the applicant to obtain confirmation from the IESO of the transfer of the contract to the new entity before the licence is granted or transferred. In order to allow for the completion of the re-organization in an orderly fashion, the OEB will approve the transfer of the generation licence with a delayed effective date, specifically once the IESO assigns the contract to Lindsay Solar LP.

IT IS ORDERED THAT:

1. The application for leave to transfer electricity generation licence EG-2014-0258 is granted, with the following condition with respect to timing:
 - Electricity Generation Licence EG-2014-0258 will be transferred to Lindsay Solar LP once the OEB receives confirmation in writing that the IESO has assigned the FIT contract presently held by Lindsay Solar Farm Inc. to Lindsay Solar LP.

Issued at Toronto December 1, 2016, **amended** at Toronto February 3, **2017**

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance