



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

ORDER

EB-2016-0313

TERRAFORM ONTARIO SOLAR, LLC

Application for Transfer of Electricity Generation Licence EG-2015-0174

BY DELEGATION,

BEFORE: Brian Hewson

Vice President, Consumer Protection & Industry Performance

December 1, 2016

ORDER

TerraForm Ontario Solar, LLC 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-2015-0174 to its affiliate TerraForm Ontario Solar LP.

TerraForm Ontario Solar, LLC 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, along with it the ownership and operation of Sandringham Solar Energy Centre and the Woodville Solar Energy Centre located in City of Kawartha Lakes, to its affiliate TerraForm Ontario 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, TerraForm Ontario 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 TerraForm Ontario Solar LP

IT IS ORDERED THAT:

1. The application for leave to transfer electricity generation licence EG-2015-0174 is granted, with the following condition with respect to timing:
 - Electricity Generation Licence EG-2015-0174 will be transferred to TerraForm Ontario Solar LP once the OEB receives confirmation in writing that the IESO has assigned the FIT contract presently held by TerraForm Ontario Solar, LLC to TerraForm Ontario Solar LP.

DATED at Toronto December 1, 2016

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance