



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

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## **ORDER**

**EB-2017-0225**

## **VERESEN ENERGY INFRASTRUCTURE INC.**

**Application for leave to transfer electricity generation licence  
EG-2007-0775 from Veresen Energy Infrastructure Inc. to London District  
Energy GP Inc., on behalf of London District Energy LP**

**BY DELEGATION, BEFORE: Brian Hewson**  
Vice President,  
Consumer Protection & Industry Performance

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**June 29, 2017**

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**ORDER**

On June 5, 2017, Veresen Energy Infrastructure Inc. applied for leave of the Ontario Energy Board (OEB) pursuant to section 18(2) of the *Ontario Energy Board Act, 1998* (OEB Act) to transfer an electricity generation licence EG-2007-0775 from Veresen Energy Infrastructure Inc. (Veresen) to London District Energy GP Inc., on behalf of London District Energy LP (LDE).

Veresen is a holder of an electricity generation licence EG-2007-0775 issued by the OEB on December 21, 2007. The licence authorizes Veresen to own and operate the London District Energy facility. The facility is operated under the Combined Heat and Power Contract (CHP Contract) with the Independent Electricity System Operator (IESO).

Pursuant to the asset Purchase and Sale agreement signed by both parties on February 17, 2017, LDE will purchase all of the rights, title and interest in the generation facility and all agreements, permits and other documents and instruments that are required to operate the facility, including the CHP Contract. The transfer of the assets and the CHP Contract to LDE will occur on the closing date of the sale transaction.

This Order is being issued by Delegated Authority, pursuant to Section 6 of the OEB Act. Delegated Authority has considered the application without holding a hearing pursuant to section 6(4) of the OEB Act.

The OEB finds that the application should be granted. The evidence in the application indicates that the transfer of the generation facility to LDE will have no impact on the location or operation of the London District Energy generation facility. However, the granting of the application to transfer the licences should be conditioned. For generation licence applicants who operate under a power purchase contract with the Independent Electricity System Operator (IESO), proof of assignment of the 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 sale transaction in an orderly fashion, the OEB approves the transfer of the

generation licence with a delayed effective date, specifically once the IESO assigns the CHP Contract to LDE.

**IT IS ORDERED THAT:**

The application to transfer electricity wholesaler licence EG-2007-0775 to London District Energy GP Inc., on behalf of London District Energy LP is granted. The transfer of the licence will become effective once the OEB receives confirmation in writing that the IESO has assigned the Combined Heat and Power Contract to London District Energy LP.

**DATED** at Toronto June 29, 2017

**ONTARIO ENERGY BOARD**

*Original signed by*

Brian Hewson

Vice President, Consumer Protection & Industry Performance