



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

DECISION AND ORDER

EB-2017-0235

SLS ZEP WIND CORP.

**Application for leave to transfer electricity generation licence
EG-2016-0290 from SLS ZEP Wind Corp. to SLS Wind Development II LP**

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

August 17, 2017

DECISION AND ORDER

On June 14, 2017, SLS ZEP Wind Corp. 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 a FIT electricity generation licence EG-2016-0290 from SLS ZEP Wind Corp. to SLS Wind Development II LP.

SLS ZEP Wind Corp. is a holder of an electricity generation licence EG-2016-0290 issued by the OEB on November 24, 2016. The licence authorizes SLS ZEP Wind Corp. to own the Settlers Landing Wind Park wind generation facility. This facility is jointly owned, pursuant to a joint venture agreement, by SLS ZEP Wind Corp. and SLS Wind Development LP. As a result of a restructuring, SLS ZEP Wind Corp. will be transferring its ownership interests in the generation facility along with the FIT procurement contract to the newly created entity, SLS Wind Development II LP.

This Decision and Order is being issued by Delegated Authority, pursuant to Section 6 of the OEB Act.

The application to transfer a FIT electricity generation licence EG-2016-0290 is granted. The evidence in the application indicates that the transfer of the ownership interests to SLS Wind Development II LP will have no impact on the location or operation of the Settlers Landing Wind Park facility. However, the granting of the application to transfer the licence should be conditioned. For generation licence applicants who will be operating under a FIT contract with the Independent Electricity System Operator (the IESO), proof of signing of a procurement contract with the IESO and a Notice to Proceed are part of the evidence that must be filed with the OEB. At present, SLS ZEP Wind Corp. holds the FIT contract and related Notice to Proceed. 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. However, the applicant has informed the OEB that the IESO requires a confirmation of the OEB's leave to transfer the licence to SLS Wind Development II LP in order for the FIT contract's assignment to take effect. To allow completion of the transaction in an orderly fashion, the applicant proposed that the OEB's approval of the transfer of the generation licence be made conditional on the

IESO's assignment of the FIT procurement contract to SLS Wind Development II LP.
The OEB finds this proposal has merit.

IT IS ORDERED THAT:

The application to transfer the electricity generation licence is granted, subject to the following condition respecting timing:

- Electricity generation licence EG-2016-0290 will be transferred to SLS Wind Development II LP once the OEB receives confirmation in writing that the IESO has assigned the FIT contract presently held by SLS ZEP Wind Corp. to SLS Wind Development II LP.

DATED at Toronto August 17, 2017

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance