

DECISION AND ORDER

EB-2019-0211

BRACEBRIDE GENERATION LTD.

Application for an Electricity Generation Licence Amendment

BY DELEGATION,

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

November 7, 2019

Decision and Order

Bracebridge Generation Ltd. (Bracebridge) filed an application on August 23, 2019 with the Ontario Energy Board (OEB) pursuant to section 74 of the *Ontario Energy Board Act, 1998* (OEB Act), to amend electricity generation licence EG-2003-0120.

Bracebridge also requested concurrent cancellation of Elliott Falls Waterpower Corporation's (EFWC) electricity generation licence EG-2003-0132, pursuant to section 77(5) of the OEB Act.

Following the amalgamation of Bracebridge and EFWC, Bracebridge requested that the OEB amend Schedule 1 of its electricity generation licence to include the ownership and operation of the Elliott Falls Generation Station with an installed capacity 0.7 MW, located in the City of Kawartha Lakes, Ontario. Elliott Falls Generation Station is currently listed in Schedule 1 of EFWC's electricity generation licence EG-2003-0132. There are no other changes requested to the licence. All other provisions remain the same.

As the amalgamated entity continues as Bracebridge and there are no other facilities listed in EFWC's electricity generation licence EG-2003-0132, the applicant requested this licence to be cancelled.

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

IT IS ORDERED THAT:

1. Schedule 1 of Bracebridge Generation Ltd.'s electricity generation licence EG-2003-0120 is amended to add Elliott Falls Generation Station. The amended licence is attached to this Decision and Order.
2. Elliott Falls Waterpower Corporation's electricity generation licence EG-2003-0132 is cancelled.

DATED at Toronto, November 7, 2019

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection and Industry Performance



Electricity Generation Licence

EG-2003-0120

Bracebridge Generation Ltd.

Valid Until

October 23, 2023

Original Signed By

Brian Hewson

Vice President, Consumer Protection & Industry Performance

Ontario Energy Board

Date of Issuance: October 8, 2003

Date of Amendment: August 7, 2014

Date of Amendment: November 7, 2019

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
27th. Floor
Toronto, ON M4P 1E4

Commission de l'énergie de l'Ontario
C.P. 2319
2300, rue Yonge
27e étage
Toronto ON M4P 1E4

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1 Definitions

In this Licence:

“**Act**” means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

“**Electricity Act**” means the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;

“**generation facility**” means a facility for generating electricity or providing ancillary services, other than ancillary services provided by a transmitter or distributor through the operation of a transmission or distribution system and includes any structures, equipment or other things used for that purpose;

“**Licensee**” means Bracebridge Generation Ltd.;

“**regulation**” means a regulation made under the Act or the Electricity Act;

2 Interpretation

- 2.1 In this Licence words and phrases shall have the meaning ascribed to them in the Act or the Electricity Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of this Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens. Where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part V of the Act and subject to the terms and conditions set out in this licence:
- a) to generate electricity or provide ancillary services for sale through the IESO-administered markets or directly to another person subject to the conditions set out in this Licence. This Licence authorizes the Licensee only in respect of those facilities set out in Schedule 1;
 - b) to purchase electricity or ancillary services in the IESO-administered markets or directly from a generator subject to the conditions set out in this Licence; and
 - c) to sell electricity or ancillary services through the IESO-administered markets or directly to another person, other than a consumer, subject to the conditions set out in this Licence.

4 Obligation to Comply with Legislation, Regulations and Market Rules

- 4.1 The Licensee shall comply with all applicable provisions of the Act and the Electricity Act, and regulations under these acts, except where the Licensee has been exempted from such compliance by regulation.
- 4.2 The Licensee shall comply with all applicable Market Rules.

5 Obligation to Maintain System Integrity

- 5.1 Where the IESO has identified, pursuant to the conditions of its licence and the Market Rules, that it is necessary for purposes of maintaining the reliability and security of the IESO-controlled grid, for the Licensee to provide energy or ancillary services, the IESO may require the Licensee to enter into an agreement for the supply of energy or such services.
- 5.2 Where an agreement is entered into in accordance with paragraph 5.1, it shall comply with the applicable provisions of the Market Rules or such other conditions as the Board may consider reasonable. The agreement shall be subject to approval by the Board prior to its implementation. Unresolved disputes relating to the terms of the Agreement, the interpretation of the Agreement, or amendment of the Agreement, may be determined by the Board.

6 Restrictions on Certain Business Activities

- 6.1 Neither the Licensee, nor an affiliate of the Licensee shall acquire an interest in a transmission or distribution system in Ontario, construct a transmission or distribution system in Ontario or purchase shares of a corporation that owns a transmission or distribution system in Ontario except in accordance with section 81 of the Act.

7 Provision of Information to the Board

- 7.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 7.2 Without limiting the generality of paragraph 7.1 the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee, as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

8 Term of Licence

- 8.1 This Licence shall take effect on October 8, 2003 and expire on October 7, 2023. The term of this Licence may be extended by the Board.

9 Fees and Assessments

- 9.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

10 Communication

- 10.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.
- 10.2 All official communication relating to this Licence shall be in writing.
- 10.3 All written communication is to be regarded as having been given by the sender and received by the addressee:
- a) when delivered in person to the addressee by hand, by registered mail or by courier;
 - b) ten (10) business days after the date of posting if the communication is sent by regular mail; or
 - c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

11 Copies of the Licence

- 11.1 The Licensee shall:
- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
 - b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

SCHEDULE 1 LIST OF LICENSED GENERATION FACILITIES

The Licence authorizes the Licensee only in respect to the following:

1. The ownership and operation of High Falls Generating Station, with an installed capacity of 2.6 MW, located at 1296 High Falls Road, Bracebridge, Ontario
2. The ownership and operation of Wilson Falls Generating Station, with an installed capacity of 2.61MW, located at 500 Wilson Falls Road, Bracebridge, Ontario.
3. The ownership and operation of Bracebridge Falls Generating Station, with an installed capacity of 2.35 MW, located at 35 Wharf Road, Bracebridge, Ontario.
4. The ownership and operation of Burk's Falls Waterpower Corporation generating station, with an installed capacity of 0.7 MW, located at Sypes St., Plan 26, Lot 1, Burk's Falls, Ontario.
5. The ownership and operation of Bancroft Light and Power Company, with an installed capacity of 0.6 MW, located at 37 Mill Street (Highway 62), Bancroft, Ontario.
6. The ownership and operation of Parry Sound PowerGen Corporation, with an installed capacity of 2.973 MW, located at 2 Cascade Street, Parry Sound, Ontario.
7. The ownership and operation of Elliott Falls Generation Station, with an installed capacity of 0.7 MW, located at Concession 11, Pt. Lot 9, City of Kawartha Lakes, Ontario.