



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

DECISION AND ORDER

EB-2019-0291/EB-2019-0292

ESSAR POWER CANADA LTD.

**Application for an Electricity Generation Licence and
Application for an Electricity Retailer Licence**

EB-2020-0167

ALGOMA STEEL INC.

Application for an Electricity Generation Licence

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

September 17, 2020

DECISION AND ORDER

This Decision and Order relates to various applications filed by Essar Power Canada Ltd. (EPCL) and Algoma Steel Inc. (Algoma), under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act). Given the interrelated business relationship between the applicants, the OEB combined the applications into one proceeding, pursuant to section 21(5) of the OEB Act. This Decision and Order is also being issued by Delegated Authority, without a hearing pursuant to section 6(4) of the OEB Act.

EPCL filed two applications on December 3, 2019, one for an electricity generation licence relating a 70 MW cogeneration facility that it owns in Sault Ste. Marie, Ontario, and another for an electricity retailer (large volume) licence.^{1,2} EPCL filed additional information in support of the applications on July 20, 2020. The applications were accepted by the OEB as complete on Jul 20, 2020.

Algoma filed an application on June 24, 2020, for an electricity generation licence, relating to a 110 MW cogeneration facility that it owns and operates in Sault Ste. Marie, Ontario.³ The application was accepted by the OEB as complete on Jul 20, 2020.

Based on information filed by EPCL, it appears that it had owned its 70 MW cogeneration facility, and had been operating as an electricity retailer with sales to Algoma, since at least 2009 without the requisite OEB licenses, as required by sections 57 (c) and (d) of the OEB Act. Similarly, information filed by Algoma indicates that since at least 2018, it has owned and operated the 110 MW cogeneration facility without the licence required under section 57 (c) of the OEB Act.

Findings

The OEB finds that EPCL has provided the necessary financial and technical information in support of its requests to be licensed as an electricity retailer and an electricity generator. The OEB also finds that Algoma has provided the necessary financial and technical information to support of its request to be licensed electricity generator.

¹ EPCL's application for an electricity generation licence was assigned OEB File No. EB-2019-0291

² ECPL's application for an electricity retailer licence was assigned OEB File No. EB-2019-0292

³ Algoma's application for an electricity generation was assigned OEB File No. EB-2020-0167

After considering the evidence, the OEB finds that issuing the licences as applied for by both EPCL and Algoma is in the public interest. The findings in this Decision and the issuance of the licences to both applicants is done without prejudice to any future compliance and enforcement actions that may be taken by the OEB.

IT IS ORDERED THAT:

1. The application by Essar Power Canada Ltd. for an electricity generation licence is granted on such conditions as are contained in the attached licence.
2. The application by Essar Power Canada Ltd. for an electricity retailer licence is granted on such conditions as are contained in the attached licence.
3. The application by Algoma Steel Inc. for an electricity generation licence is granted on such conditions as are contained in the attached licence.

DATED at Toronto September 17, 2020

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance