



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

Ontario

DECISION AND ORDER

EB-2022-0130

SLGR WIND LP

**Application for an Electricity Generation Licence
Amendment**

BY DELEGATION,

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

May 26, 2022

Decision and Order

SLGR Wind LP (SLGR Wind) filed an application on March 25, 2022, 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-2015-0361.

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

On April 27, 2022, in Decision and Order EB-2022-0129, the OEB granted a conditional transfer¹ of an electricity generation licence EG-2015-0361 from GHG LP to the applicant, SLGR Wind. That licence authorizes SLGR to own and operate two generation facilities, both operating under Feed-in Tariff (FIT) contracts with the Independent Electricity System Operator (IESO): the 10 MW Grey Highlands Zero Emission People project located in Singhampton, Ontario, and the 17.6 MW ZEP Wind Farm Ganaraska project located in Orono, Ontario. The transfer request was in connection with an internal corporate reorganization under which SLGR Wind will acquire 100% ownership of four generation facilities that are currently owned or operated by six licensed entities that are owned by SLGR Wind, which in turn is a wholly owned subsidiary of Capstone Power. The final step in the reorganization is to transfer the 2 remaining electricity generation facilities to SLGR Wind.

In order to complete the internal reorganization, the applicant has requested the amendment of licence EG-2015-0361, specifically to include in Schedule 1 of the licence the ownership and operation of the 8MW Settlers Landing Wind Park project² located in Pontypool, Ontario and the 10 MW Snowy RidgeWind Park project³, located in Bethany, Ontario. These generation facilities are also operating under FIT contracts with the IESO.

Following the completion of the transaction, transfer of the licence and transfer of the above-mentioned facilities to SLGR Wind, the following licences will be cancelled: SLS Wind Development II LP's licence EG-2016-0290, SLS Wind Development LP's licence EG-2016-0291, SR Wind Development II LP's licence EG-2016-0172, and SR Wind Development LP's licence EG-2016-0173. Requests to cancel these licences have been filed with the application.

¹ The transfer of the licence will not take effect until the applicant files with the OEB written confirmation of the closing of the reorganization transaction and the assignment by the IESO of the FIT contracts to SLGR Wind.

² The facility is co-owned by SLS LP and SLS II LP (licences EG-2016-0291 and EG-2016-0290, respectively) and operated by SLS LP (licence EG-2016-0291).

³ The facility is co-owned by SRW LP and SRW II LP (licences EG-2016-0173 and EG-2016-0172, respectively) and operated by SRW LP (licence EG-2016-0173).

Based on the evidence, the OEB finds it to be in the public interest to approve the application to amend Schedule 1 of electricity generation licence EG-2015-0361. The approval of this licence amendment is conditional upon the applicant filing with the OEB written confirmation of the closing of the reorganization transaction and the assignment by the IESO of the FIT contracts to SLGR Wind LP.

IT IS ORDERED THAT:

1. The application by SLGR Wind LP to amend Schedule 1 of an electricity generation licence EG-2015-0361 is granted.
2. The amendment granted in paragraph 1 shall not take effect until SLGR Wind LP files with the OEB written confirmation that the commercial transaction described in the application has closed and that the IESO has assigned the FIT contracts to SLGR Wind LP.
3. Once the amendment to Schedule 1 of electricity generation licence EG-2015-0361 takes effect, the licences EG-2016-0290, EG-2016-0291, EG-2016-0172 and EG-2016-0173 will be cancelled.

DATED at Toronto, May 26, 2022

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance