



June 3, 2022

VIA RESS

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

Dear Ms. Marconi,

**Re: Swift River Limited Partnership – Application for Amendments to Electricity
Generation Licence EG-2018-0258
Swift River Operations Limited – Application for Cancellation of Electricity
Generation Licence EG-2019-0092**

We are writing on behalf of Swift River Energy Limited (**SREL**), as general partner for Swift River Limited Partnership (**SRLP**), and Swift River Operations Limited (**SROL**).

We respectfully request that the Board hold and treat as confidential the organizational chart provided in Appendix A of the enclosed application, in which our clients seek amendments to certain electricity generation licences. Pursuant to the request, we have provided a confidential version and a redacted version of the application letter in accordance with section 5.1.4(c) and (d)(i) of the OEB's *Practice Direction on Confidential Filings*.

The basis for our clients' request is as follows:

Description	Page	Basis for Confidentiality
Organizational Structure	Appendix A (p.3)	<p>Page 3 contains details concerning the ownership structure of our clients' businesses, the disclosure of which would be prejudicial to their competitive position.</p> <p>The intended purpose of submitting the organizational structure is solely to assist the Board in its understanding of the proposed change in the context of our clients' corporate organizational structure.</p> <p>Part 5 of the OEB's <i>Practice Direction on Confidential Filings</i> allows for the requested confidentiality protections in these circumstances where disclosure would result in prejudice.</p>

Accordingly, we hereby request that the Board grant the request for confidentiality of the above-referenced document on the basis provided above and in accordance with Rule 10.01 of the OEB's *Rules of Practice and Procedure*.

We trust that this is helpful to the Board. Please do not hesitate to contact us if you have any questions or require any clarifications with respect to the above.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a long, sweeping horizontal stroke that ends in a small arrowhead.

Lisa (Elisabeth) DeMarco

Encl.



June 3, 2022

REDACTED VERSION

VIA RESS

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

Dear Ms. Marconi,

Re: Swift River Limited Partnership – Application for Amendments to Electricity Generation Licence EG-2018-0258
Swift River Operations Limited – Application for Cancellation of Electricity Generation Licence EG-2019-0092

We are writing on behalf of Swift River Energy Limited (**SREL**) as general partner for Swift River Limited Partnership (**SRLP**) and on behalf of Swift River Operations Limited (**SROL**) to apply for: (i) the transfer of SRLP's Electricity Generation Licence (EG-2018-0258) to SREL as the general partner for SRLP; (ii) a minor administrative amendment to EG-2018-0258; and (iii) following the completion of (i) and (ii), cancellation of SROL's Electricity Generation Licence (EG-2019-0092) (collectively, the **Application**).

(i) Proposed change in corporate organizational structure and names of key individuals

SREL as general partner for SRLP, is the owner and operator of the 4.7MW Bala Falls Small Hydro Project located at 3105 Highway 169, Bala, Ontario (the **Facility**). An updated organizational chart is included at Appendix A for convenience of reference. A revised section 7 of the Feed-in Tariff Program generation licence application form providing an update to the names of key individuals of SREL is included at Appendix B.

SRLP is a limited partnership formed under the laws of Ontario. SRLP has two limited partners: Horizon Hydro Limited Partnership and Kenneth Worth. The general partner for SRLP is SREL, an Ontario corporation. SROL is also an Ontario corporation. Each of SRLP, SREL and SROL is controlled by a common limited partnership and common general partner.

(ii) Application for proposed amendment to SRLP's Electricity Generation Licence (EG-2018-0258)

We respectfully request that the Board:

- (i) transfer the Electricity Generation Licence (EG-2018-0258) authorizing SRLP with respect to the ownership of the Facility to SREL as general partner for SRLP, pursuant to section 18(2) of the *Ontario Energy Board Act, 1998* (the **OEB Act**); and
- (ii) amend the Electricity Generation Licence (EG-2018-0258) to authorize SREL as general partner for SRLP to own and operate the Facility, pursuant to section 74(1) of the OEB Act.

In this manner, the authorized ownership and operation of the Facility will not be split between two corporate entities and instead will be consolidated in one entity, thereby negating the necessity of having two separate electricity generation licences (one for ownership and one for operation).

Appendix C provides an extract of our proposed changes to the EG-2018-0258 licence.

(iii) Application for proposed cancellation of SROL's Electricity Generation Licence (EG-2019-0092) following completion of the above administrative amendments

Should the Board grant the requested transfer and minor administrative change to effect consolidation of the energy generation licenses into one licence, we then request that the Board cancel the redundant Electricity Generation (operation) Licence (EG-2019-0092) in favour of SROL.

(iv) Request that the Application be disposed of without a hearing

We hereby request that the Application be dispensed without a hearing in accordance with section 21(4)(b) of the OEB Act. We submit that it is appropriate and efficient, given the merely administrative changes and that there are no adverse effects whatsoever resulting from the proposed changes, to determine the Application without a hearing. The applicants hereby consent to the dispensation of the Application without a hearing, in accordance with section 21(4)(b) of the OEB Act. We also note that there is no change to the ultimate control, ownership, and operation of the Facility. The proposed amendments are merely administrative in nature and are being undertaken to simply consolidate the licenses into one entity and reflect that SREL is in fact both the owner and operator of the Facility, as general partner for SRLP. We note that SROL has not been and is not currently the operator of the Facility and, as a result, the licencing regime should reflect this fact in one consolidated licence.

Please let us know if you require any additional information or if you have any questions.

Sincerely,



Lisa (Elisabeth) DeMarco

Appendix A: Organizational Chart

The following illustration illustrates the shareholding and ownership interested held in the Facility and the jurisdiction of incorporation for the corporate and limited partnerships comprising the corporate structure.

[REDACTED]

Appendix B: Key Individuals of SREL

7. Key Individuals

In the table below, identify the key individuals that are responsible for executing the following functions for the applicant: matters related to regulatory requirements and conduct, financial matters, and technical matters. Key individuals include the Chief Executive Officer, the Chief Financial Officer, other officers and directors, partners or proprietors.

Name of Key Individual	Title/Position within Applicant's Business (or identify company if not the Applicant's Business)
Anthony Zwig	Director, Chairman, President
Nhung Nguyen	Vice President of Development
Frank Belerique	Director, Vice President of Operations
Claire Brooke	Chief Finance Officer (pending appointment)

Appendix C: Proposed Changes to Swift River LP's Electricity Generation Licence (EG-2018-0258)

1 Definitions

In this Licence:

“**Licensee**” means **Swift River Energy Limited as the general partner for** Swift River Limited Partnership;

[...]

SCHEUDLE 1 LIST OF LICENSED GENERATION FACILTIES

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

2. The ownership **and operation** of Bala Falls Small Hydro Project with an installed capacity of 4.7 MW located at 3105 Highway 169, Bala, Ontario.