

DECISION AND ORDER

EB-2022-0131 & EB-2022-0132

CREATIVE ENERGY MIRVISH LIMITED PARTNERSHIP

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

BY DELEGATION,

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

July 21, 2022

DECISION AND ORDER

Creative Energy Mirvish Limited Partnership (CEMLP) filed two complete applications on May 25, 2022 with the Ontario Energy Board (OEB) pursuant to section 60 of the *Ontario Energy Board Act, 1998* (OEB Act), for an electricity generation licence and an electricity retailer licence.

The OEB combined the applications into one proceeding, under section 21(5) of the OEB Act. 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 applications without holding a hearing pursuant to section 6(4) of the OEB Act.

CEMLP will own and operate a 3 MW natural gas generation facility which is set to be in service by September 2022. The facility will be located within a redevelopment of the Mirvish Village and Honest Ed's site at Bathurst and Bloor Street. CEMLP will supply the electricity from the generation facility to the developer of Mirvish Village, under a large volume retail contract.

The redevelopment is currently under construction and will consist of rental housing and retail space covering four and half acres of land which will cover Markham St. spanning from Bloor St. to Lennox St. The generation facility will be connected to the new buildings by a distribution system. The applicant has confirmed that the distribution assets will be located entirely on private property and that distribution services will be provided as part of the cost of generation and retailing services.

Findings

After considering the technical and financial capability of the applicant, the OEB finds that it is in the public interest to grant the application and issue an electricity generation licence and an electricity retailer licence to CEMLP. Based on the information provided by CEMLP it does not require a distribution licence as it meets the criteria for exemption as set out in *Ontario Regulation 161/99 (Definitions & Exemptions)* under the OEB Act.

IT IS ORDERED THAT:

1. The application for an electricity generation licence is granted, on such conditions as are contained in the attached licence.
2. The application for an electricity retailer licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, July 21, 2022

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance