



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION AND ORDER

EB-2023-0131

BRIGHTON BEACH POWER L.P.

Application for an Electricity Generation Licence

BY DELEGATION, BEFORE: Brian Hewson

Vice President,
Consumer Protection & Industry Performance

June 27, 2023

DECISION AND ORDER

Brighton Beach Power L.P. (Brighton Beach or Applicant) filed an application on May 1, 2023, under section 60 of the *Ontario Energy Board Act, 1998* (OEB Act), for renewal of its electricity generation licence.

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.

Considering the time required to process an application in accordance with the Ontario Energy Board's (OEB) established practice and procedures and considering that Brighton Beach is currently carrying out activities as an electricity generator in Ontario, the OEB issued an interim order on May 23, 2023, to extend the term of the electricity generation licence, EG-2002-0525, to July 15, 2023, pending the final disposition of the matter. The Applicant is reminded that it carries the onus of filing an application in a timely manner considering the OEB's typical timelines for processing licence applications.

Brighton Beach owns and operates a generation facility located in Windsor, Ontario (subject facility) with an installed capacity of 580 MW. The output from Brighton Beach's generation facility is being sold to the Independent Electricity System Operator (IESO) pursuant to an electricity supply contract, with Shell Energy North America (Canada) Inc. being the registered market participant.

Pursuant to a directive issued by the Minister of Energy (Minister) to the IESO on April 27, 2023 (ministerial directive), the Minister directed the IESO to enter into a procurement contract with Brighton Beach effective July 16, 2024, ending on July 15, 2034, for Brighton Beach to upgrade its subject facility and increase the average capacity to fulfill the peak electricity demand in the Windsor-Essex region.

After considering the application and assessing the technical capability and financial viability of the applicant, the OEB finds that it is in the public interest to grant the application and issue an electricity generation licence to Brighton Beach. However, the OEB may consider the need for additional conditions to the electricity generation licence of Brighton Beach should there be any changes to the registered market participant or as a result of the procurement contract required by the ministerial directive.

IT IS ORDERED THAT:

1. The application is granted, on such conditions as are contained in the attached licence.
2. Brighton Beach shall inform the OEB, in writing, prior to any changes to the IESO registered market participant for the subject facility.
3. Brighton Beach shall inform the OEB, in writing, once the procurement contract with the IESO described in the ministerial directive has been completed.

DATED at Toronto June 27, 2023

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance