



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

DECISION AND ORDER

EB-2023-0366

TRANSMISSION INFRASTRUCTURE PARTNERSHIPS 9 LIMITED

Application for an Electricity Transmission Licence

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

February 15, 2024

INTRODUCTION AND SUMMARY

Transmission Infrastructure Partnerships 9 Limited (TIP-9) has applied to the Ontario Energy Board (OEB) for an electricity transmission licence. TIP-9 intends to construct, own, and operate transmission facilities in the vicinity of Wawa and Timmins, Ontario.

This Decision and Order is being issued by the Delegated Authority without a hearing, pursuant to section 6(4) of the *Ontario Energy Board Act, 1998* (OEB Act).

TIP-9's application for an electricity transmission licence is approved. The scope of the OEB's review in this proceeding is limited to the question of whether TIP-9 meets the relevant criteria for being licensed as an electricity transmitter. The OEB's approval of this application should not be construed as providing a view on other regulatory requirements that TIP-9 may need to comply with in the future.

APPLICATION

TIP-9 filed an application on December 21, 2023, under section 60 of the OEB Act. The application is for an electricity transmission licence only. TIP-9 does not currently own or operate transmission assets in Ontario. TIP-9 is planning to construct, own and operate a new transmission line in Northeastern Ontario and to have the line operational by 2030 (the Project).

TIP-9 explained that, based on the best information that it has at this time, the Project will consist of a new 230kV transmission line approximately 260 kilometers in length, connecting Wawa substation in Wawa, Ontario with Porcupine substation in Timmins, Ontario. Both Wawa TS and Porcupine TS are owned by Hydro One Networks Inc. (Hydro One). The two termination points for the proposed transmission line will be solely located in the Traditional Territories of TTN and Michipoten First Nation and the transmission line will pass through the territories of Chapleau Cree and Missanabie Cree First Nations.

TIP-9 stated that the Project responds directly to the recommendations set out in the Independent Electricity System Operator's (IESO) recent planning study, [Need for Northeast Bulk System Reinforcements](#). TIP-9 stated that it has discussed its plans with the IESO and Hydro One. And the proposed transmission line is consistent with the regional plan for Northeast Ontario. TIP-9 acknowledged that it will require leave from the OEB to construct the Project and plans to file an application for that authorization in 2025.

TIP-9 submitted that, together with its affiliates, it possesses significant experience in asset management, operations and maintenance of transmission and distribution

assets. TIP-9 filed evidence that, through its affiliates, it has the financial feasibility and security to plan, develop, construct, own, operate and maintain electricity transmission facilities in Ontario.

FINDINGS

The key areas reviewed by the OEB in a licence application are the financial position, technical capability and conduct of an applicant. Furthermore, the OEB's decision in proceeding EB-2009-0164 identified two threshold tests for transmission licence applications, namely:

1. Whether there is a specific project which underpins the application; and,
2. In the absence of a specific project, whether the applicant is engaged in transmission activity elsewhere and whether it has the necessary technical and financial expertise to undertake transmission activity in Ontario.

While it does not yet own or operate a transmission system in Ontario, TIP-9 has filed information pertaining to a specific project that underpins its application for a transmission licence. TIP-9 has also provided sufficient information on its technical and financial expertise to demonstrate that it has the qualifications and expertise to undertake transmission activity in Ontario. In assessing TIP-9's qualifications, the OEB has noted that it previously found that Transmission Infrastructure Partnerships 1 Limited (TIP-1), which shares the same technical and financial resources as TIP-9, demonstrated the necessary expertise to be licensed to undertake transmission activity¹. TIP-9 also provided a commitment to meet all applicable regulatory requirements once licensed.

The OEB finds that TIP-9 has demonstrated that it meets the criteria for holding a transmission licence. The OEB therefore approves TIP-9's application for a transmission licence. However, the OEB is mindful that TIP-9 does not currently own or operate a transmission system in Ontario and that its proposed transmission facilities are not expected to be operational for another six years. For these reasons, the OEB is approving the application, and will reserve issuance of the licence until TIP-9 has received approval by the OEB, for the leave to construct application that it has indicated it will file for the proposed transmission facilities, at which time TIP-9 will be able to file

¹ Transmission Infrastructure Partnerships 1 Limited applied to the OEB for a transmission licence under EB-2023-0084 on February 9, 2023.

with the OEB a complete description of the facilities to be included in schedule 1 of the licence.

TIP-9 is further advised that this Decision should not be construed as providing any views or being determinative of any other regulatory approvals that TIP-9 may need to obtain in the future in relation to the Project such as, for example, leave to construct from the OEB.

IT IS ORDERED THAT:

1. Transmission Infrastructure Partnerships 9 Limited's application for an electricity transmission licence is approved, and its licence shall be issued and take effect on the date on which it files a description of its approved transmission facilities to be included in schedule 1 of the licence with the OEB.

DATED at Toronto February 15, 2024

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance