



Blake, Cassels & Graydon LLP
Barristers & Solicitors
Patent & Trade-mark Agents
199 Bay Street
Suite 4000, Commerce Court West
Toronto ON M5L 1A9 Canada
Tel: 416-863-2400 Fax: 416-863-2653

Ryan McNamara

Associate

Dir: 416-863-2180

ryan.mcnamara@blakes.com

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August 22, 2024

VIA E-MAIL: registrar@oeb.ca

Ontario Energy Board
2300 Yonge Street, 27th Floor Reception
Toronto, Ontario M4P 1E4

Attention: Ms. Nancy Marconi, Registrar

RE: Section 81 Notice of Proposed Project

Dear Ms. Marconi:

We are the lawyers for Atura H2 L.P. (doing business as Atura H2) (the “**Applicant**”), which is indirectly controlled by Ontario Power Generation Inc. (“**OPG**”). This letter, together with the attached documentation, constitutes a notice from the Applicant of a proposed project (the “**Notice**”) under Section 81 of the *Ontario Energy Board Act, 1998* (the “**Act**”).

The Applicant filed a notice of proposal on March 24, 2023 with respect to the project described in the enclosed Notice. On May 23, 2023, the Ontario Energy Board (“**OEB**”) confirmed that it did not intend to issue a notice of review with respect to the project proposal. A copy of the letter of no review is attached as Appendix 1.

Out of an abundance of caution, the Applicant is filing a second notice of proposal to ensure that the OEB is aware that its general partner has changed since the OEB issued its letter of no review. The corporate reorganization that resulted in this change was completed primarily for reasons of tax efficiency and involved the substitution of a newly formed entity, Atura Hydrogen Inc., for Atura H2 Inc. as the Applicant’s general partner. Following the reorganization, the sole general partner of the Applicant is Atura Hydrogen Inc. and the Applicant’s sole limited partner is Atura H2 Inc., both of which are controlled indirectly by OPG.

Description of the Project

The Applicant proposes to construct, own, and operate a hydrogen gas production facility (the “**Hydrogen Facility**”) at a site located near the Sir Adam Beck II Generating Station (the “**Beck GS**”) in Niagara Falls, Ontario. The Beck GS is owned and operated by OPG. To enable the Hydrogen Facility to be supplied with electricity directly from the Beck GS, the Applicant is proposing to construct the following distribution infrastructure entirely on lands to be leased from OPG:

1411-0447-0285.3



- a tap from OPG’s existing 230 kV transmission line that runs from the Beck GS to the transmission substation on the island to the west of the Beck GS;
- a transformer station adjacent to the Line Tap, at which the voltage would be stepped down from 230 kV to 27.6 kV; and
- a 27.6 kV distribution line, approximately 3.5 km in length, to connect the Hydrogen Facility to the Transformer Station

(collectively, the “**Distribution System**”).

As discussed in greater detail in the Notice, the Beck GS will be directly supplying the Hydrogen Facility with (1) electricity to intermittently operate the electrolyzer equipment used for hydrogen production (the “**Production Power**”), and (2) continuous, round-the-clock electricity for other purposes, including for the operation of base building systems, while the electrolyzer is idle (the “**Baseload Power**”).

The Applicant is a limited partnership formed under the laws of Ontario. It is a partnership between Atura Hydrogen Inc., as the general partner, and Atura H2 Inc., as the limited partner. OPG indirectly controls Atura Hydrogen Inc. and Atura H2 Inc. A corporate structure chart showing the relationship between the Applicant and its Electricity Sector Affiliates is attached as Appendix 2 to this letter.

As the Applicant is an affiliate of OEB-licensed generators, it is required to submit a notice pursuant to section 81 of the *Act* before acquiring an interest in the Distribution System.¹

The Applicant submits that its construction of the Distribution System will not affect the development or maintenance of a competitive electricity market as it will only be used to convey electricity to the Hydrogen Facility and will not be used to convey electricity into the IESO-administered markets. In addition, the Production Power that will be supplied directly by OPG will have no impact on the amount of electricity OPG will be able to supply to the IESO-controlled grid because OPG will only be supplying Production Power when Beck GS is providing grid regulation service to the IESO that would otherwise result in turbine modulation. Further, the supply of Baseload Power required for the Hydrogen Facility will have no material impact on OPG’s market share or its ability to supply electricity into IESO-administered markets, as the supply of such electricity will remain small in amount. The Applicant therefore requests that the Ontario Energy Board issue a letter of no review, consistent with its previous decision in May 2023. The Applicant submits that the substitution of Atura Hydrogen Inc. as its general partner in no way alters the findings made by the OEB with respect to the project proposal submitted on March 24, 2023.

¹ The Applicant also intends to apply for an Electricity Wholesaler Licence prior to the Hydrogen Facility commencing operation.

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Please contact the undersigned if you have any questions with respect to this matter.

Yours truly,



Ryan McNamara

Encl.

**Appendix 1 –
Atura Corporate Structure Chart**

Ontario Power Generation Inc. ("OPG")

2685277 Ontario Inc.
100% OPG

NV LP
99.99% OPG (LP)
0.01% 2685277 Ontario Inc. (GP)

Portlands Energy Centre Inc.
50% OPG
50% NV LP

Brighton Beach Power L.P.
100% NV LP

Portlands Energy Centre L.P. ("PEC LP")
99.9% NV LP (LP)
0.1% Portland Energy Centre Inc. (GP)

Brighton Beach Power L.P.
99.9% NV LP (LP)
0.1% Brighton Beach Power Ltd. (GP)

Halton Hills GS Napanee GS Portland Energy Centre GS
100% PEC LP

Brighton Beach GS
100% Brighton Beach Power L.P.

Lower Mattagami Limited Partnership
GP: OPG
LP: 97% Lower Mattagami Power Corporation

UMH Energy Inc.
100% OPG

UMH Energy Partnership
GP: OPG
LP: 97% UMH Energy Inc.

LM Energy Inc.
100% OPG

Lower Mattagami Energy Limited Partnership
GP: 99.99% OPG
LP: 0.01% LM Energy Inc.

PSS Generating Station Inc.
67% OPG
33% Canadian Power Corporation

PSS Generating Station LP
GP: 99.99% OPG
LP: 0.01% Canadian Power Corporation
GMP: 0.0001% PSS GS Inc.

Nanticoke Solar Inc.
100% OPG

Nanticoke Solar LP
GP: 100% OPG
LP: 99.99% Nanticoke Solar Inc.
GMP: 0.01% Nanticoke Solar LP
GMP: 0.0001% Coast-Napco

Atura Hydrogen Inc.
89% voting shares PEC LP
11% voting shares ABHI

Atura H2 Inc.
100% Atura Hydrogen Inc.

Atura H2 L.P.
99.9% Atura Hydrogen Inc. (GP)
0.1% Atura H2 Inc. (LP)

Niagara Hydrogen Centre
100% Atura H2 L.P.

Ameresco BESS Holding Inc. ("ABHI")

