

# **Ontario Energy Board**

## **Kruger Energy Inc. Proposal to Construct a 100 MVA Substation in the Municipality of Chatham-Kent**

**November 17, 2008**

### **Ontario Power Authority Submission**

**Michael Lyle, General Counsel & Vice President  
Ontario Power Authority  
120 Adelaide St. W., Suite 1600  
Toronto, Ontario  
M5H 1T1  
[michael.lyle@powerauthority.on.ca](mailto:michael.lyle@powerauthority.on.ca)  
Direct Line: 416-969-6035  
Fax: 416-967-1947**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S. O. 1998, c. 15, Schedule B;

**AND IN THE MATTER OF** a review of a notice of  
proposal filed by Kruger Energy Inc. under section 81  
of the *Ontario Energy Board Act*, 1998.

Further to Procedural Order No. 8 ("P.O.") in the above mentioned matter, this is the submission of the Ontario Power Authority (the "OPA").

Kruger Energy Inc. ("KEI") filed a notice of proposal under section 81 of the *Ontario Energy Board Act*, 1998 relating to the construction and operation of a 100 MVA substation (Proposed Facility) in the Municipality of Chatham-Kent.

The Ontario Energy Board has determined, as outlined in the P.O., that "the sole issue in this proceeding is whether the impact of the proposal adversely affects the development and maintenance of a competitive market." With respect to that issue, and more specifically with regard to open access to the Proposed Facility, the OPA believes that KEI's proposal likely will not have an adverse impact on the development and maintenance of a competitive market in light of KEI's acknowledgement that "[t]he process by which generation customers will be allotted the transformation capacity of the substation will be similar to the queuing process established by Hydro One Networks Inc.; that is, first come, first serve basis." [Ms. Helt referencing KEI's statement of November 19, 2007, page 32, lines 9-13]

KEI indicates at paragraph 17 of its submission dated November 10, 2008 ("KEI Submission") that the Renewable Energy Supply II ("RES II") procurement was an initiative of the OPA. As a clarification, please note that RES II was an initiative undertaken by the Ontario Ministry of Energy and Infrastructure, and the OPA was subsequently directed to become the counterparty to contracts under that procurement process.

Paragraph 23 of the KEI Submission states that KEI intends to connect four 10 MW Renewable Energy Standard Offer Program ("RESOP") projects to the Proposed Facility. For further clarity, please note that the OPA RESOP program is currently undergoing a review, which includes an examination of connection limits and criteria.