

**Ontario Energy
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BY E-MAIL ONLY

April 17, 2013

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St, 27th Fl
P.O. Box 2319
Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: Board Staff Interrogatories in EB-2013-0047

Pursuant to Procedural Order No. 1, please find enclosed Board Staff interrogatories in the above proceeding.

Yours truly,

Nabih Mikhail
Project Advisor, Electricity Facilities & Infrastructure

Copy to: Mr. Robert Miller, Northland Power Inc.
Mr. James C. Sidlofsky, Borden Ladner Gervais LLP



Board Staff Interrogatories

APPLICATION FOR LEAVE TO CONSTRUCT A TRANSMISSION LINE AND RELATED FACILITIES FOR

- NORTHLAND POWER SOLAR EMPIRE L.P.
- NORTHLAND POWER SOLAR MARTIN'S
MEADOWS L.P.
- NORTHLAND POWER SOLAR ABITIBI L.P.
- NORTHLAND POWER SOLAR LONG LAKE L.P.

EB-2013-0047

April 17, 2013

APPLICANTS EXPERIENCE

Interrogatory 1

Reference: Exh. B/Tab 1/Sch. 1/p. 1/par. 3

Preamble:

At the above Reference, it is stated that:

“The Applicants are in the business of developing, constructing, owning and operating renewable generation projects and related facilities. Each of the four Applicants is constructing one 10 MW ground mount solar electricity generation facility in the vicinity of the Town of Cochrane, and each of the four generation facilities is subject to an Ontario Power Authority (“OPA”) Feed-in Tariff (“FIT”) contract (the four generation projects are collectively referred to as the “Generation Projects”).”

Questions/Requests:

- (i) What experience do the Applicants have in the construction and operation of a similar type of facilities as that proposed in this application?
- (ii) Please indicate what corporate organization capabilities exist to complete the applied for project.
- (iii) Please indicate whether the Applicants intend to make use of contractors and provide a summary of their experience in regards to the construction of such projects.

CONNECTION AGREEMENTS BETWEEN THE APPLICANTS AND HYDRO ONE NETWORKS INC. (“HONI”)

Interrogatory 2

[Note: the Applicants are expected to communicate with HONI and the answers are expected to reflect HONI’s views to all questions in this interrogatory]

References:

- (a) Exh. B/Tab 1/Sch. 1/p. 1/par. 4
- (b) Transmission System Code (“TSC”), June 10, 10/Section 4.1.1 and Appendix 1- Version B, Form of Connection Agreement for Generator Customers

Preamble:

At Reference (a), it is stated in part that:

“The Applicants have a co-ownership agreement in place for the transmission line and associated facilities[...]. The Applicants will be entering into an operation and maintenance agreement (“O&M Agreement”) with NPI for the operation and maintenance of the Transmission Facilities.”

At Reference (b), at Section 4.1.1 of the TSC it is required that HONI enters into a connection agreement with customers directly connected to its transmission system,

which for generator customers, the Form of which is provided in Appendix 1, Version B of the TSC.

Questions/Requests:

- (i) Given that the transmission line is owned by the four Applicants, please clarify whether or not each of the four Applicants will conclude a connection agreement with HONI.
- (ii) If the answer to (i) above is affirmative, please indicate the status of these connection agreements with HONI.
- (iii) If the answer to (i) above is that the Applicants are not pursuing four connection agreements with HONI, please explain how the TSC's requirements and provisions would be binding on all four solar generation projects?

UPDATE STATUS OF CROSSING AGREEMENT, ROAD USER'S AGREEMENT AND WORK PERMITS

Interrogatory 3

Reference: Exh. C/Tab 1/Sch. 1/pp. 2-3

Requests:

- (i) Please provide update on any of the six crossing agreement which are still outstanding (listed at page 2 of the above Reference).
- (ii) Please provide update on the status of on the Road User's Agreement with the Town of Cochrane referred to at pages 2 and 3 of the above Reference.

LAND OWNER AGREEMENTS

Interrogatory 4

Reference: Exh. F/Tab 1/Sch. 1/pp. 1 - 4

Preamble:

At page 1 of the noted Reference, it is stated in part that:

“Approximately 22 km of the transmission line will be above ground. The Applicants (through NPI) currently hold options for all of the land rights required for the private properties where project components are to be located, except for the Calder SS. Negotiations are ongoing for privately owned land for the Calder SS.[underlining added for emphasis]”

Draft agreements (options to lease) have been forwarded to the landowner for the Calder SS site. Verbal discussions and negotiations have progressed well, and basic terms and conditions have been agreed to verbally. The location of the Calder SS is on the south side of Concession 8&9, west of Highway 668 (see map at Exhibit B, Tab 2, Schedule 2).

It will be necessary to cross Highway 668 with a short underground cable (approximately 350 metres in length). The section of underground cable will rise for termination into the Calder SS. The Applicants have received an Encroachment Permit EC-2012-53C-20 from the Ontario Ministry of Transportation (“MTO”) (see Exhibit F, Tab 1, Schedule 2).

A table summarizing the lands required for the Transmission Facilities and the instruments granting the Applicants access to such lands can be found in Exhibit F, Tab 1, Schedule 1. The forms of agreements in relation to the lands can be found in Exhibit F, Tab 1, Schedule 2 of this Application.”

Questions/Requests:

- (i) Please clarify whether the table titled “LANDS REQUIRED FOR TRANSMISSION FACILITIES” and is listed on pages 3 and 4 of above Reference, includes all directly affected landowners (i.e. Transmission Line infrastructure will be located on their property)? Please update the table if necessary.
- (ii) Please provide an update on the negotiations with the land owner in regard to the Calder SS.

COST RESPONSIBILITY FOR STRANDED ASSETS & DECOMMISSIONING

Interrogatory 5

References: Exh. B/Tab 4/Sch. 1/p. 1

At the above Reference, it is stated that:

“The proposed Transmission Facilities are to be used solely to connect the Generation Projects to the transmission system. The Applicants will therefore not be licensed or rate-regulated transmitters. The financial risk of constructing, owning, and operating the Transmission Facilities will lie solely with the Applicants.”

Questions/Clarifications:

- (i) In regard to the above Reference, please acknowledge the Applicants’ responsibility for removing the transmission and related facilities if construction of these transmission facilities does not proceed or is interrupted due to unforeseen events such as the inability to acquire or secure the various permits or due to a force majeure event?
- (ii) Did the Applicants set aside funds to address the events outlined in (i) above leading to stranded assets and for decommissioning, or alternatively guaranteed by any other means? Please provide details.

CONNECTION AND COST RECOVERY AGREEMENT (“CCRA”)

Interrogatory 6

Reference: Exh. B/Tab 1/Sch. 1/p. 6/par. 18

At the above Reference it is stated that:

“The tapping arrangement to HONI circuit C2H will be determined in consultation with HONI, following the execution of the HONI Connection and Cost Recovery Agreement (“CCRA”). Calder SS will contain all equipment necessary to join Segment A and Segment B of the new 115 kV transmission line to the outgoing HONI line tap.[..]”

Request:

- (i) In regard to the above Reference, please submit the Connection Cost Recovery Agreement (“CCRA”), when finalized.

TRANSMISSION SYSTEM UPGRADES

Note: This interrogatory requires that the Applicant ask Hydro One Networks Inc. to respond to the Requests below to be filed to meet the deadline for Interrogatory Responses.

Interrogatory 7

Reference: Exh. H/Tab 1/Sch. 2- System Impact Assessment Report (Addendum) Final Report, May 15, 2012/pages 1 and 2

Preamble:

At the above Reference, it is stated in part that.

7. Pre-contingency thermal overloads exist on the 115 kV circuit H6T before and after the connection of the projects. Hydro One plans on upgrading both the H6T and H7T circuits to help alleviate these overloads.
8. Post-contingency thermal overloads of 115 kV circuits H6T and H7T exist before and after the connection of the project for the loss of the Ansonville T2 autotransformer and the inadvertent breaker operation (IBO) of the 115 kV H1L91 circuit breaker.
9. Post-contingency overvoltage issues exist before and after the connection of the projects. These issues occur for the loss of the 500 kV circuit P502X without the rejection of new and existing capacitor banks at Hanmer TS and Porcupine TS. Hydro One plans to develop a switching scheme which will automatically disconnect appropriate capacitor banks to mitigate these issues, as outlined in the Addendum completed for the Northern Ontario Shunt Caps SIA report (CAA 2008-352).

Requests:

- (i) Please obtain from HONI the time line for upgrading circuits H6T and H7T to address the noted overloads on these two circuits as outlined in paragraphs 6 and 7 of the above Reference.
- (ii) Please obtain from HONI the time line for its developing a switching scheme to address the Post-contingency overvoltage issues as outlined in paragraph 9 of the above Reference.

RENEWABLE ENERGY APPROVALS

Interrogatory 8

Reference: Exh. C/Tab 1/Sch. 1/p. 2/para. 1/Critical Constraints

Preamble:

At the above Reference, it is stated in part that.

The Ministry of Environment (“**MOE**”) Renewable Energy Approvals (“**REA**”) for the Generation Projects and Transmission Facilities were filed at the end of October, 2012 and beginning of November, 2012. As such, based on the MOE’s three month service guarantee, the Applicant anticipates receiving MOE approval of each REA by the end of June, 2013.

Questions:

- (i) Based on the noted “MOE’s three-month service guarantee”, did the Applicants receive a decision from the MOE in relation to its REA application?
 - a. if response is yes, please file the evidence in regard to the REA approval; or
 - b. if response is no, is a decision still expected by end of June, 2013 as stated above?
- (ii) Have there been any objections to the granting of the REA and if so by which parties?
- (iii) Upon completion of the environmental assessment, please file a copy of the REA approval.