

Notice of Force Majeure
(Market Rules for the Ontario Electricity Market)

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SUBMIT BY EMAIL (PDF WITH SIGNATURE)

To: ForwardMarkets@ieso.ca


Capitalized terms not defined herein have the meaning ascribed in the Market Rules for the Ontario Electricity Market (the "Market Rules").

- This is a new Force Majeure event, start date: May 1, 2020
- This is an update to an existing Force Majeure No.: <insert the Force Majeure #>
- This is a termination Notice, termination date: <insert date, if applicable>

Date	April 23, 2020
Legal Name of Market Participant	Demand Power Group Inc. (the "Participant")
Market Participant ID #	1914321
Delivery Point	Toronto Zone
Title of Force Majeure	Coronavirus - Summer Commitment Period 1 MW Obligation

Pursuant to Chapter 1, Section 13.3 of the Market Rules, the FIT Contract, the Participant is hereby submitting this Notice of Force Majeure Event to the IESO. The Supplier agrees and consents that the IESO may disclose any information contained in this Notice of Force Majeure, related documentation to any Person for the purpose of assessing this Force Majeure claim, and may post the Notice of Force Majeure in accordance with Chapter 1, section 13.3.12 of the Market Rules.

The Participant represents and warrants that all of the information in this Notice of Force Majeure, including all documentation provided herewith, is complete, true and accurate, and there is no material information omitted from this Notice of Force Majeure that makes the information contained herein misleading or inaccurate.

Participant: Demand Power Group Inc.
Signature: 
Name: Robert Weir
Title: COO
I have the authority to bind the Participant.
Dated this 24 day of April, 2020

1. Description of the events leading to Force Majeure Event.

Provide reasonably full particulars of the cause and timing of the events relating to the invoked Force Majeure. Also provide documentary evidence of the same, including without limitation, the following: newspaper articles, correspondence, emails, notes, reports, memoranda and any other documentation relevant to establishing Force Majeure.

Demand Power is a developer and operator of behind-the-meter energy solutions (battery storage and gas-fired generators) that allow large industrial and commercial end users to curtail their load. End use customers in turn are able to offer their load curtailment capability, through Demand Power, into the IESO administered markets. The ability of Demand Power to meet their capacity obligation was contingent on the timely installation of gas-fired generator project(s) in the Toronto zone. The project(s) in question had completed full diligence, engineering and design and were ready for NTP. The emergence of the Coronavirus, social

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distancing and the closing of businesses starting mid-March has caused both end use customers and investors to pause and to re-evaluate their respective businesses from a credit, cash, and operating perspective for the remainder of calendar year 2020. Document evidence will be submitted separately.

2. Effect of Force Majeure.

Provide reasonably full particulars of the effect of the Force Majeure on the Participants' ability to fulfill its obligations under the Market Rules. Also provide documentary evidence of the same, including without limitation, the following: reports, policy documents, correspondence, emails, notes, memoranda and any other documentation relevant to establishing the effect of Force Majeure.

Coronavirus has had an unforeseeable impact on the operations and the near term financial positions of our host site customers and Investors. The result has been a delay in project development activities as the parties evaluate their respective positions in the near to medium term. Demand Power is confident that the project(s) will proceed and that we may be in a position to fulfill our commitment in the latter half of the summer commitment period. However, we are requesting relief from our near term commitments due to project delays caused the coronavirus pandemic. Document evidence will be submitted separately.

3. Commercially Reasonable Efforts

Provide reasonably full particulars of efforts, if any, undertaken or contemplated by the Participant to remedy or mitigate the Force Majeure. Also provide documentary evidence of the Commercially Reasonable Efforts listed, including, without limitation, the following, as applicable: correspondence, emails, notes, memoranda and any other documentation relevant to establishing the efforts to remedy or mitigate the Force Majeure.

Demand Power has been working diligently with their customers, investors and equipment vendors to address issues raised as a result of the pandemic. We have been unsuccessful in securing an assignment of our commitment to other DRMPs. We believe that a number of projects may still be in a position to achieve commercial operation during the summer commitment period. Document evidence will be submitted separately.

(Use separate attachments or extra pages, as necessary)