
Decision of the Independent Panel
Exemption Application #1346

PART 1 – PANEL MEMBERS

Panel members hearing the Application: Timothy O'Neill and William Museler

PART 2 – GENERAL INFORMATION

1. Exemption Application ID: #1346.
2. Market Participant Name: CP Renewable Energy (Kingsbridge) Limited Partnership ("CP" or, the "Applicant".)
3. Location/Site: Kingsbridge 1 Wind Farm.
4. Role of Applicant in the market as it relates to this Exemption Application: *Generator*.
5. Date Exemption Application Heard: January 14, 2016.
6. Did Applicant Agree to Terms and Conditions of the IESO Staff Recommendation: Yes.
7. Section of the *Exemption Application and Assessment Procedure* under which the Exemption Application is made: section 1.5.1.

Market Rule(s) or related Market Manual(s) from which exemption is requested: Chapter 4, Section 7.1.6 and Market Manual 1.2, Section 5.3.1 and Appendix E.

8. Material Reviewed & Exemption Process:
 - a) CP's Exemption Application (and summary)
 - b) IESO Staff Recommendation
 - c) Exemption Application & Assessment Procedure
 - d) Applicable *market rules*
 - e) Exemption Panel Hearing

9. Applicant's Position:

CP takes the position that the cost of being required to build new meteorological towers is prohibitive, i.e. ~\$300,000 per tower. Further, three of the five types of meteorological data, namely wind speed, wind direction, and ambient temperature, can be provided by two existing

meteorological towers (T8 and T18) that are within a 5 kilometre radius to all the wind turbines of the *facility*. With respect to the two remaining types of meteorological data, namely relative humidity data and barometric pressure data, CP has implemented a compliance plan, with the assistance of Rodan & Vestas, to collect this meteorological data and provide it to *IESO*, which the *IESO* has confirmed meets its requisite data requirements.

PART 3 – DECISION

Decision:

Exemption #1346 is issued to CP subject to the terms and conditions set forth in the Reasons of the Panel below.

PART 4 – REASONS

Reasons of the Panel:

Compliance with the *market rules* for *generation facilities* is mandatory. However, when extenuating circumstances are present, it is possible for an *exemption* from the *market rules* to be granted. Exemption Orders are exceptional and are granted by an Exemption Panel on a discretionary and case-by-case basis.

In rendering our decision, we considered CP's Exemption Application, the *IESO* Staff Recommendation, the Exemption Application and Assessment Procedure, the applicable *market rules* and the responses of *IESO* Staff to the issues and questions raised by us at the hearing of the Exemption Application concerning historical compliance and the need for an *exemption*.

CP's Exemption Application and the *IESO* Staff Recommendation satisfied us that granting the *exemption* would not increase costs to *market participants* or the *IESO* nor will the *exemption* affect the ability of the *IESO* to ensure non-discriminatory access to the *IESO-controlled grid*, direct the *IESO-controlled grid* in a reliable manner or operate the *IESO-administered markets* in an efficient, competitive and reliable manner.

Factors considered in granting this *exemption* are as follows:

- The facility has been operating in the present condition since CP implemented a compliance plan, with the assistance of Rodan & Vestas, to collect the meteorological data and provide it to the *IESO*, which the *IESO* has confirmed meets its requisite data requirements.

Therefore, the *exemption* is hereby granted for the lifetime of the *generation facility* without

conditions other than as set forth in the *IESO* Staff Recommendation regarding Restrictions and Reconsideration.

Exemption Period

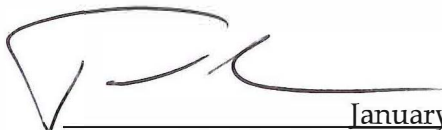
Under the circumstances, we are satisfied that an *exemption* for the life of the *facility* is justified as recommended by *IESO* Staff.


PART 5 – TERMS AND CONDITIONS

Effective Date of Exemption (or event causing exemption to become effective)	The date when and if the <i>exemption</i> is granted.
Date of Expiration of Exemption <ul style="list-style-type: none">If greater than 5 years, the Panel must be satisfied that the circumstances justify a later date Circumstances which will cause the exemption to immediately expire	The <i>exemption</i> request is for the life of the <i>facility</i> (approximately March 2026), so long as the meteorological data for T14 and T15 continues to be provided to the <i>IESO</i> in the manner described herein.
Market Rule(s) or related Market Manual(s) from which the Exemption is granted	Chapter 4, Section 7.1.6, and Market Manual 1.2, Section 5.3.1 and Appendix E.
Restrictions on the manner of operation and/or additional obligations to be met during the term of the Exemption, if any	None.
Monitoring Information Required Information required to be provided by the Exemption Applicant for monitoring by the <i>IESO</i>	Meteorological data for T14 and T15.
Payment of Costs <ul style="list-style-type: none">Processing Costs (when	n/a

<p>introduced)</p> <ul style="list-style-type: none"> Incremental Exemption Costs Settlement amounts to be withheld or repaid 	
<p>Reconsideration/Removal</p> <ul style="list-style-type: none"> Date on which the Exemption will be reconsidered (<i>if applicable</i>) <p>Circumstances under which the Exemption will be reconsidered (<i>if applicable</i>) other than unforeseen future change in circumstances</p>	<p>The <i>exemption</i> will be reconsidered if the ability of the <i>generation facility</i> to provide meteorological data to the <i>IESO</i> as described herein ceases.</p>
<p>Transferability</p> <ul style="list-style-type: none"> List the terms and conditions that need to be met to allow for a transfer of this exemption to be approved by <i>IESO</i> staff <p><i>Transferability</i> in respect of a corporation, refers to a change of control of the corporation within the meaning of the <i>Business Corporations Act</i> (Ontario)</p>	<p>None.</p>
<p>Other:</p>	<p>None.</p>

PART 6 – SIGNATURE OF PANEL MEMBERS


January, 2016
 Timothy O'Neill Date


January, 2016
 William Museler Date