



**REQUEST FOR QUALIFICATIONS
FOR APPROXIMATELY 350 MW OF PEAKING
GENERATION IN NORTHERN YORK REGION
("NYR RFQ")**

Request for Qualification No.: NYR RFQ-2008

RFQ Issued: January 31, 2008, as amended by Addendum No. 1

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1. INTRODUCTION

1.1 Purpose of NYR RFQ

Through this request for qualifications (this “**NYR RFQ**”), the Ontario Power Authority (the “**OPA**”) is seeking Qualification Submissions in connection with a potential future OPA request for proposals relating to the supply of approximately 350 MW of natural gas-fired simple cycle peaking generation located in the Northern York Region (the “**NYR**”) by delivering reliable electricity supply to the IESO-Controlled Grid or a Designated Distribution System.

The purpose of soliciting and evaluating Qualification Submissions pursuant to this NYR RFQ is to:

- provide the OPA with a greater degree of assurance, prior to deciding whether to embark on a formal request for proposals, that there are interested parties with the technical and financial resources and the willingness to undertake the development of the Project; and
- establish a short-list of Qualified Applicants that will become eligible to participate in any future request for proposals.

1.2 Background

On January 31, 2008 the Ontario Minister of Energy issued a directive to the OPA (the “**Ministerial Directive**”) to procure a simple cycle gas-fired electricity generation facility with a rated generation capacity of approximately 350 MW and not more than 400 MW. It is expected that the OPA will procure this generation facility through a competitive procurement process, and that the facility will have an in-service date of not later than December 31st, 2011. It is further expected that due consideration be given to locating the generation facility in the vicinity of the 230 kilovolt transmission lines supplying the Armitage and Holland transformer stations, in order to assure an efficient connection platform for the new facility. In addition to relieving local supply inadequacy, it is also expected that the new facility be capable of contributing to the province’s overall need for gas-fired peaking capacity in an efficient, cost-effective and environmentally sound manner.

The Northern York Region has experienced robust growth in the past few years and this growth has resulted in demand exceeding the capability of the electrical infrastructure serving the region.

The Ministerial Directive follows the ‘Northern York Region Electricity Supply Study’ submitted by the OPA in 2005 to the OEB focusing on the urgent needs of the Northern York Region, specifically the communities served by the Armitage Transformer Station. This station supplies Aurora, East Gwillimbury, King, Newmarket, and Whitchurch-Stouffville, as well as Bradford West Gwillimbury in Simcoe County. It also furthers the

goals of the IPSP to use gas-fired generation for high value and high efficiency applications and to replace coal with cleaner sources in the earliest practical time-frame.

1.3 General Arrangements

This NYR RFQ is the first step in satisfying the Ministerial Directive and responding to the IPSP with respect to the NYR, and provides interested parties with:

- the general framework of the procurement process initiated by this NYR RFQ and a description of the Project that the OPA wishes to procure; and
- the minimum technical, experience and financial qualifications that an interested party submitting a Qualification Submission to the OPA (the “**RFQ Applicant**”) must meet in order to be qualified under this NYR RFQ to proceed to the next step, if any, of the procurement process for the Project.

The OPA invites questions and comments from all interested parties regarding the information provided in this NYR RFQ, and reserves the right to make changes to this NYR RFQ on or before the Deadline for Issuing Addenda to the NYR RFQ set out in Section 2.2 in its sole and absolute discretion, including changes that reflect questions and comments received from interested parties.

The Qualification Submission Deadline is set out in Section 2.2. No financial commitment to the OPA is required with the delivery of a Qualification Submission. However, only those interested parties that have delivered a Qualification Submission to the OPA and that are determined to be Qualified Applicants in accordance with the criteria set out in this NYR RFQ will be permitted to participate in the next step, if any, of the procurement process.

1.4 Ontario Power Authority

The OPA is established under the Electricity Act, 1998, as a statutory corporation that is not a Crown agent. The OPA is authorized to call on the private sector when needed for new generating capacity and conservation initiatives to be secured through competitive procurement processes.

Credit ratings for the OPA have been issued by Moody’s and DBRS and additional information about the OPA can be obtained from the OPA’s website at www.powerauthority.on.ca.

1.5 Future Procurement Processes

The NYR RFQ process is only one of several procurement processes for generation projects that have been initiated by the OPA. The NYR RFQ procurement process shall not preclude participation in any present or future OPA procurement initiatives for which an interested party is eligible.

1.6 No Exclusivity

The OPA is not obliged, pursuant to this NYR RFQ, to deal exclusively with a single Qualified Applicant but may deal with one or more of the Qualified Applicants at the OPA's sole discretion. In submitting a Qualification Submission, each RFQ Applicant will be deemed to have acknowledged that the OPA may contract with others in relation to the Project or may otherwise obtain the same or similar generation projects by other means and on different terms.

2. PROCESS OVERVIEW

2.1 Overview of NYR RFQ Process

The OPA is seeking Qualification Submissions from interested parties for proposed generation projects that can deliver firm and reliable generation capacity to the NYR. Accordingly, the requirements of this NYR RFQ, including the Mandatory Requirements set out in Section 3.3, have been formulated to define and shape the key features of the Project and to identify those interested parties with the technical experience, financial resources and willingness to deliver the Project in accordance with the OPA's requirements.

2.2 Timetable

The Timetable with respect to the entire procurement process for this NYR RFQ is set out below.

Release of NYR RFQ	January 31, 2008
Question and Comment Period	February 1 - 22, 2008
Deadline for Issuing Addenda to this NYR RFQ	February 29, 2008 3:00 p.m. EST
Qualification Submission Deadline	March 28, 2008 3:00 p.m. EST
Notification of Qualified Applicants	April 2008
Debriefing and notification of next steps in the procurement process, if any	April 2008

The OPA reserves the right to accelerate or postpone any of the dates set out above or eliminate or re-order any of the steps in the timetable. The acceleration or postponement of any date prior to the Qualification Submission Deadline shall be made by way of notice to interested parties and shall be published on the Generation Procurement Website. The acceleration or postponement of any date or elimination of any step following the Qualification Submission Deadline shall be made by way of notice to RFQ Applicants only.

If any Addendum is issued after the Deadline for Issuing Addenda, the OPA may at its discretion extend the Qualification Submission Deadline for a reasonable amount of time having regard to the circumstances.

2.3 Communications

2.3.1 Review of Documentation and Questions

This NYR RFQ and all Addenda relating thereto will be public and accessible via the Generation Procurement Website. Interested parties shall promptly examine all such documentation and:

- report to the OPA any errors, omissions or ambiguities; and
- send to the OPA any questions they may have regarding this NYR RFQ

through the Generation Procurement Website, in writing, on or before the end of the Question and Comment Period specified in Section 2.2. Questions, comments and responses will be posted on the Generation Procurement Website, but the identity of any party asking any question or making any comment will not be revealed. It is the responsibility of an interested party to seek clarification by submitting questions or comments on any matter that it considers to be unclear. The OPA shall not be responsible for any misunderstanding on the part of an interested party concerning any aspect of this NYR RFQ.

2.3.2 Prohibited Communications and Non-Collusion Requirements

Interested parties and RFQ Applicants shall not contact or make any attempt to contact any of the following:

- any member of the Evaluation Team
- any expert or advisor assisting the Evaluation Team or the OPA
- any staff of the OPA or member of the OPA's Board of Directors
- any Members or staff of the Ministry of Energy
- any staff of the Premier of Ontario's Office or the Ontario Cabinet Office
- any Member of Provincial Parliament or his or her staff or advisors
- any Members of Provincial Cabinet or their staff or advisors
- another RFQ Applicant Team

with respect to any Qualification Submission or this NYR RFQ process, at any time during this NYR RFQ process, except as expressly permitted by and through the channels expressly prescribed in this NYR RFQ. No communications are to be directed to any person or in any manner other than as prescribed in this NYR RFQ. A failure on the part of a RFQ Applicant to restrict its communication with the OPA to the communications channels prescribed in this NYR RFQ may lead to a disqualification of its Qualification Submission.

No interested party, nor any of its employees, agents, contractors or representatives, shall directly or indirectly communicate with the media in relation to this NYR RFQ or any Qualification Submission without first obtaining the written permission of the OPA pursuant to a request made via the Generation Procurement Website.

The prohibition on communications set out above, shall not prohibit an interested party, RFQ Applicant, or Qualified Applicant from publishing any notice that is required in connection with regulatory processes relating to the development of the proposed Project.

No interested party shall engage in conduct that would, or could reasonably be expected to, result in a Conflict of Interest or that would violate the Non-Collusion Requirements.

2.4 Qualification Submission

2.4.1 Qualification Submission Preparation

2.4.1.1 All Proposed Projects

Each RFQ Applicant should structure its Qualification Submission in accordance with the instructions in this NYR RFQ. Where information is requested in this NYR RFQ, any response made in a Qualification Submission should reference the applicable section numbers of this NYR RFQ where such request is made. Only one Qualification Submission may be submitted by a RFQ Applicant in response to this NYR RFQ.

Apart from the completion of any blanks, bullets or similar uncompleted information in the Required Forms, a RFQ Applicant may not make changes to the pre-printed wording of the Required Forms but may (for example, where multiple technical solutions are anticipated, as set out in Section 2.4.1.2) use copies, including multiple copies, of the appropriate pages of the Required Forms for such purpose. The Required Forms will be made available on the Generation Procurement Website in a writable PDF format following the Deadline for Issuing Addenda. Any changes made to the Required Forms, whether on the face of such forms or contained elsewhere in the Qualification Submission, may result in the disqualification of the Qualification Submission. All Required Forms must be

signed by a director, officer or other person who has the authority to bind the RFQ Applicant.

Certain Required Forms are, or contain, declarations. The onus is solely on RFQ Applicants to conduct all investigations and verifications necessary, including any investigations required of any member(s) of the RFQ Applicant Team, necessary to confirm that each of the statements set out in the declarations can be made. If, in the sole and absolute determination of the OPA, any matter declared is not materially true and correct, then the Qualification Submission may be invalidated and disqualified. In instances where the Qualification Submission is not invalidated notwithstanding a discrepancy or inconsistency between the declarations described below and a RFQ Applicant's Qualification Submission, the declarations shall be deemed to prevail.

2.4.1.2 **Multiple Proposed Projects or Technical Solutions**

The OPA does not wish, at this stage of the procurement of the Project, to unduly restrict the expression of innovative approaches to the Project. Therefore, a RFQ Applicant may, if it wishes, submit a Qualification Submission that contains more than one proposed Project or more than one technical solution (either of which may be at one or more locations permitted by this NYR RFQ) for a proposed Project. The following sets out how RFQ Applicants must structure their Qualification Submissions where there are multiple proposed Projects or multiple technical solutions for the proposed Project.

Where a RFQ Applicant wishes to submit more than one proposed Project or more than one proposed technical solution for the proposed Project, the RFQ Applicant must submit a separate Mandatory Qualification Submission Form for each such proposed Project or technical solution, as the case may be. The RFQ Applicant should prepare the Qualification Submission using the following steps:

- (a) One of these Mandatory Qualification Submission Forms must have attached to it all the relevant attachments and schedules as required to describe a proposed Project (the "**Reference Submission**"). That form should be labelled "Reference Submission", for clarity.
- (b) For each additional proposed Project or proposed alternative technical solution, a separate Mandatory Qualification Submission Form must be completed and submitted. For each blank in each additional Mandatory Qualification Submission Form in which information is to be provided, the information should:
 - (i) be entered, where the information differs from the Reference Submission, in the blanks made available on the Mandatory Qualification Submission Form where such space is sufficient for the purpose; or

- (ii) be entered as “See Reference Submission” (or words to that effect) where the information is the same as in the Reference Submission; or
- (iii) be entered as “See schedule” (or words to that effect) where the information differs from the Reference Submission and where there is insufficient area in the blanks on the Mandatory Qualification Submission Form to contain the information.

The bundle of documents consisting of the Mandatory Qualification Submission Form containing the Reference Submission and the additional Mandatory Qualification Submission Forms containing the additional proposed Projects or alternative technical solutions will, together, constitute the RFQ Applicant’s Qualification Submission.

All proposed Projects and all alternative technical solutions in a Qualification Submission will be mutually exclusive and each will be evaluated separately. The Qualification Submission should avoid, to the extent reasonably possible, repetition of the same information that is contained elsewhere in the Qualification Submission.

2.4.2 Qualification Submission Requirements

To be considered, a Qualification Submission must be received no later than the Qualification Submission Deadline at the following address:

BNY Trust Company of Canada
4 King Street West
Suite 1101
Toronto, ON M5H 1B6
Attention: NYR RFQ

Any Qualification Submission arriving after the Qualification Submission Deadline will not be considered and will be returned unopened to the RFQ Applicant.

The Qualification Submission will be subject to the OPA Non-Collusion Requirements. The Qualification Submission must meet the Qualification Submission Completeness Requirements outlined in Section 3.2 of this NYR RFQ.

A RFQ Applicant must submit one original hard copy of its Qualification Submission prominently marked “Original Copy”, 10 additional collated copies of its Qualification Submission, and one electronic version of the Qualification Submission provided on a CD ROM. All copies of the Qualification Submission,

including the electronic version, must include every document in the Qualification Submission. The electronic version should be electronically searchable.

The entire Qualification Submission should be contained in a sealed package.

The Qualification Submission Return Label, attached as Appendix E, should be affixed to the outside of the sealed package. In addition to the Qualification Submission Return Label, the outside of the sealed package should also have the word “Qualification Submission” prominently marked with the “NYR RFQ” title as set out on the cover page of this NYR RFQ. The full legal name of the RFQ Applicant and its return address should also appear on the outside of the sealed package.

The Qualification Submission must be in English only, and should be typed or printed neatly in black ink on both sides of 8.5 x 11 inch paper, and all pages should be numbered sequentially. Qualification Submissions should be collated and organized in a user-friendly manner, containing detailed responses and referencing any attached supporting documentation.

2.4.3 Amending or Withdrawing Qualification Submissions

At any time prior to the Qualification Submission Deadline, a RFQ Applicant may amend a submitted Qualification Submission or may amend a particular proposed technical solution for the proposed Project where more than one such solution has been proposed. At any time prior to the Qualification Submission Deadline or thereafter, a RFQ Applicant may withdraw a submitted Qualification Submission or may withdraw a particular proposed technical solution for the proposed Project where more than one such solution has been proposed. Any amendment to a Qualification Submission should clearly indicate what part of the Qualification Submission the amendment is intending to affect or replace.

2.5 Notification of Outcome of the NYR RFQ

The Evaluation Team will make its recommendation to the OPA as to the Qualified Applicants, and such recommendation shall be subject to the approval of the OPA’s Board of Directors. The OPA will notify each RFQ Applicant in writing and/or verbally of its status. RFQ Applicants that have not been determined by the OPA to be Qualified Applicants will not be eligible to participate in any future steps of the procurement process initiated by this NYR RFQ.

2.6 Debriefing

Within 30 days after the notification by the OPA of the Qualified Applicants as set out in the Timetable, the OPA will meet with each Qualified Applicant and unsuccessful RFQ Applicant, with the Fairness Advisor in attendance, to solicit any feedback from the Qualified Applicant that may be considered by the OPA in designing the form and

content of any future step(s) of this procurement process, and to assist unsuccessful RFQ Applicants in presenting a better Qualification Submission in subsequent procurement opportunities. Any debriefing provided is not offered for the purpose of providing an opportunity to challenge this NYR RFQ procurement process and no such debriefing may be used for such challenge.

2.7 Potential Next Steps in the Process

2.7.1 Northern York Region Request for Proposals (NYR RFP)

Subsequent to this NYR RFQ, the OPA may (but is not obliged to) proceed to issue a Request for Proposals (the “**NYR RFP**”) for the Project. As stated, RFQ Applicants that have not been determined by the OPA to be Qualified Applicants will not be eligible to participate in a NYR RFP, if issued. If a NYR RFP is issued and at the time of the issuance of the NYR RFP certain aspects of the Qualification Submission of a Qualified Applicant under this NYR RFQ (other than information in the Additional Information Submission Form) are no longer true or accurate, at the sole and absolute discretion of the OPA, the NYR RFP may provide that such Qualified Applicant may nevertheless not be excluded from participation in the NYR RFP.

RFQ Applicants are advised that the potential NYR RFP may apply rated evaluation criteria to a variety of matters, including the Connection Point(s) selected by the RFQ Applicants from among the Required Connection Points.

A map outlining Connection Areas A, B, C, D and E is attached as Appendix B.

The following rankings outline the OPA’s preference for Connection Points:

Highest	Connection Area A
High	Connection Area B
Medium	Connection Area C
Low	Connection Area D, Connection Area E

Proposed Projects connected to Connection Area F or Connection Area G may be evaluated using rankings analogous to that used for proposed Projects located in Connection Areas A, B, C, D or E, taking into account the proximity to each Connection Point of the proposed Embedded Generation Facility(ies) comprising the proposed Project.

Connection Area F and Connection Area G are defined in the schedule of definitions.

The potential NYR RFP may set out more detailed evaluation criteria applicable to proposed Projects located in Connection Areas F and/or G.

2.7.2 NYR Contract

The procurement process commenced by this NYR RFQ and/or any subsequent NYR RFP may proceed to the point where the OPA agrees to enter into a NYR Contract with a successful proponent. A NYR Contract may be entered into as per the Ministerial Directive expressly authorizing and directing the OPA, pursuant to the Minister of Energy's authority under subsections 25.32(4) and (7) of the Act, to enter into such NYR Contract. A NYR Contract will likely be based on the form of Draft Peaking Contract as posted on the Generation Procurement Website.

2.8 Confidentiality

Information provided by an interested party is subject to, and may be released in accordance with, the provisions of the Freedom of Information and Protection of Privacy Act (Ontario). A RFQ Applicant will clearly indicate in a separate confidentiality statement, in a form provided by the RFQ Applicant, any portion of any Qualification Submission that contains proprietary or confidential information for which confidentiality is to be maintained by the OPA. In addition, such portions of the Qualification Submission must be clearly marked "Proprietary and Confidential" by the RFQ Applicant. If no confidentiality statement is provided, the RFQ Applicant will be automatically deemed to have certified to the OPA that no portion of the Qualification Submission contains proprietary or confidential information for which confidentiality is to be maintained.

The confidentiality of any such information identified by the RFQ Applicant will be maintained by the OPA, except where an order by the Information and Privacy Commission, a court or a tribunal requires the OPA to do otherwise. Notwithstanding the foregoing, the OPA shall not be required to maintain the confidentiality of any such information that:

- is or becomes generally available to the public without fault or breach on the part of the OPA of any duty of confidentiality owed by the OPA to the RFQ Applicant or to any third party;
- the OPA can demonstrate that it had been rightfully obtained by the OPA, without any obligation of confidence, from a third party that had the right to transfer or disclose it to the OPA free of any obligation of confidence;
- the OPA can demonstrate that it had been rightfully known by, or in the possession of, the OPA at the time of disclosure, free of any obligation of confidence when disclosed; or

- has been independently developed by the OPA.

Qualification Submissions will, as necessary, be disclosed on a confidential basis, to the Evaluation Team, the Government of Ontario, Hydro One Networks Inc., the IESO, the OPA's Fairness Advisor, the OPA's counsel and other advisers retained in connection with the procurement process and in the evaluation of the Qualification Submissions.

All information provided by or obtained from the OPA in any form in connection with this NYR RFQ other than through the Generation Procurement Website is the sole property of the OPA and must be treated as confidential, and:

- is not to be used for any purpose other than replying to this NYR RFQ; and
- must not be disclosed without the prior written authorization of the OPA; and
- shall be returned by the RFQ Applicant to the OPA immediately upon the request of the OPA.

2.9 Disclosure of Qualified Applicants

Notwithstanding Section 2.8, the OPA may choose to publish or otherwise disclose the following information regarding the Qualification Submissions or Qualified Applicants subsequent to notifying all successful and unsuccessful RFQ Applicants:

- RFQ Applicant Name;
- proposed Project Name;
- proposed Project Location.

2.10 Addenda

This NYR RFQ may be amended by Addendum in accordance with this Section 2.10. If the OPA, for any reason, determines that it is necessary to provide additional information relating to this NYR RFQ, such information will be communicated by posting such Addendum on the Generation Procurement Website on or prior to the Deadline for Issuing Addenda.

Each Addendum may contain important information, including significant changes to this NYR RFQ, and interested parties are responsible for visiting the Generation Procurement Website as often as is necessary to ensure that they obtain all of the Addenda to this NYR RFQ and other notices issued by the OPA from time to time. To assist, interested parties can register on the Generation Procurement Website to receive email alerts related to the NYR procurement process. RFQ Applicants must confirm their receipt of all addenda issued by the OPA in the Mandatory Qualification Submission Form, Appendix C.

3. EVALUATION PROCESS

3.1 Overview

The evaluation of the Qualification Submissions will be conducted by the OPA in the following distinct Stages:

- **Stage 1 – Qualification Submission Completeness Requirements:** In Stage 1, Qualification Submissions will pass or fail depending on whether the Qualification Submission meets all of the Qualification Submission Completeness Requirements set out in Section 3.2.
- **Stage 2 - Mandatory Requirements:** In Stage 2, Qualification Submissions will pass or fail depending on whether the Qualification Submission meets each of the Mandatory Requirements set out in Section 3.3.

All RFQ Applicants that submit Qualification Submissions that pass Stages 1 and 2 will be selected as Qualified Applicants.

A Qualification Submission must meet the requirements of each Stage in order to proceed to the next Stage. Those Qualification Submissions that fail either Stage 1 or 2 will be disqualified and will not be evaluated further.

Where more than one proposed Project or technical solution is submitted (as permitted by Section 2.4.1.2), if the Qualification Submission for the proposed Project complies with the Qualification Submission Completeness Requirements for one such proposed Project or technical solution but not for another, then the Qualification Submission may be accepted for the former and disqualified for the latter.

3.2 Stage 1 – Qualification Submission Completeness Requirements

Each Qualification Submission will pass or fail depending on whether it contains all of the required documents and declarations submitted and/or completed as specified in this Section 3.2 (the “**Qualification Submission Completeness Requirements**”).

Qualification Submissions that do not satisfy each of the Qualification Submission Completeness Requirements will not be evaluated further and will be rejected.

The Qualification Submission Completeness Requirements are:

3.2.1 Mandatory Qualification Submission Form

The Mandatory Qualification Submission Form must be submitted in the form set out in Appendix C. Multiple copies of the form must be submitted, with appropriate attachments and references, as set out in Sections 2.4.1.1 and 2.4.1.2, as the case may be.

3.2.2 **Executive Summary**

The Qualification Submission must include an Executive Summary. Where there are alternative proposed Projects, the Executive Summary must include an overview of each alternative.

If there is additional information that the RFQ Applicant wishes to submit for consideration, such additional information may be submitted on the Additional Information Submission Form set out in Appendix D and, in such case, the information on the Additional Information Submission Form will form part of the Qualification Submission. For example, in the case of mutually exclusive proposed Projects or proposed Projects with aggregated facilities, an additional copy of the appropriate forms (including, if applicable, the Additional Information Submission Form but not including any form that is common to all proposed Projects) must be submitted for each additional mutually exclusive proposed Project or aggregated facility, so that each alternative proposed Project is clearly described and the questions in respect thereto contained in this NYR RFQ are clearly answered for each of them. All forms, considered together, will constitute the RFQ Applicant's Qualification Submission. Information provided in an Additional Information Submission Form as part of a Qualification Submission may be modified, deleted or otherwise changed by a Qualified Applicant for the purposes of submission to the NYR RFP, should an NYR RFP be issued by the OPA, and such modification, deletion or other change shall not *per se* result in exclusion from the NYR RFP. The preceding shall not be interpreted so as to prejudice provisions of this NYR RFQ relating to the Mandatory Requirements nor to prejudice provisions of any NYR RFP relating to any mandatory requirements therein.

3.3 **Stage 2 - Mandatory Requirements**

Each Qualification Submission will pass or fail depending on whether it meets the following Mandatory Requirements (the "**Mandatory Requirements**"). Qualification Submissions that do not satisfy each of the Mandatory Requirements will not be evaluated further and will be rejected.

In order to satisfy each of the Mandatory Requirements, RFQ Applicants must complete the Mandatory Qualification Submission Form, attached as Appendix C unless otherwise noted.

The Mandatory Requirements are set out as set out below in this Section 3.3.

3.3.1 **Technical Specifications**

- The proposed Project must be a New Build or an Expansion and not an Existing Generating Facility or an Upgrade. For greater certainty, a proposed Project that is an Expansion of an Existing Generating Facility is eligible under the NYR RFQ with respect to the Contract Capacity relating to the Expansion.

- The proposed Project must be a Dispatchable Facility.
- The proposed Project must be a simple cycle configuration.
- The proposed Project must utilize natural gas as the Primary Fuel.
- The proposed Project must be able to provide a minimum of 135 MW at 30 °C under both N-1 System Conditions and N-1 Generating Facility Conditions simultaneously.
- The proposed Project must be able to provide a minimum of 270 MW at 30 °C under N-2 System Conditions.
- The proposed Project must have a Summer Contract Capacity of no less than 270 MW.
- The proposed Project must have a Contract Capacity of no more than 400 MW.
- The proposed Project must be located in the Province of Ontario and located in one of Aurora, East Gwillimbury, Georgina, King, Newmarket, Whitchurch-Stouffville and Bradford West Gwillimbury. To satisfy this requirement, the RFQ Applicant must complete the Mandatory Qualification Submission Form, including providing the site address. In addition, the RFQ Applicant must submit a map or maps showing the proposed site in relation to neighbouring roads and lands. The map(s) shall be utilized to confirm that the location of the proposed Project is consistent with the description of the lands set out in the documentation supporting evidence for this Section as well as for site control as required in Section 3.3.2.
- The proposed Project must comply with Section 6 (Generation Connection Criteria) specified in the 'Ontario Resources and Transmission Assessment Criteria' document. The proposed Project must be in compliance with all applicable Generation Facility Requirements.
- The proposed Project must attain Commercial Operation on or before December 31, 2011.

3.3.2 Site Control

The RFQ Applicant must evidence site control by having, at a minimum, an option to purchase, lease, license or use the land for the site. Any such option must be exercisable by the RFQ Applicant for at least 120 days after the Qualification Submission Deadline.

To satisfy this requirement, in addition to completing the Mandatory Qualification Submission Form, the RFQ Applicant must provide supporting documentation of the site control in the form of either:

- an executed copy of an agreement entitling the RFQ Applicant to an option to lease, licence or purchase the land,
- a registered title, lease or licence, or
- if the proposed Project involves Crown resources, including Crown land for transmission, distribution and ancillary structures, written confirmation from the appropriate Ministry, or Ministries, that the RFQ Applicant has been granted the opportunity to pursue development approvals for the proposed Project in the form of a “Site Release”.

The RFQ Applicant is permitted to redact pricing and other proprietary information from the evidence of site control, as long as this information is not needed in order for the Evaluation Team to evaluate the evidence for purposes of this requirement.

3.3.3 Required Connection Points

The proposed Project must have a Connection Point(s) (the “**Required Connection Points**”) located only within the locations set out in Section 3.3.3.1 or 3.3.3.2:

3.3.3.1 Within those designated connection areas of the IESO-Controlled Grid set out as follows:

- **Connection Area A:** at the Armitage Transformer Station (TS)
- **Connection Area B:** anywhere on the Armitage Tap between the B82V / B83V line connecting Claireville TS in Vaughan to Brown Hill TS in Georgina and Armitage TS
- **Connection Area C:** anywhere on the B82V / B83V line connecting Claireville TS in Vaughan to Brown Hill TS in Georgina between the Armitage Tap and up to the 230 kV breakers at Brown Hill TS
- **Connection Area D:** up to 5 km south of the Armitage Tap on the B82V / B83V line connecting Claireville TS in Vaughan to Brown Hill TS in Georgina
- **Connection Area E:** at the future Holland Junction TS

OR

3.3.3.2 If the proposed Project is an Embedded Generating Facility, then within those designated portions of the Distribution System (each such portion, a “**Designated Distribution System**”) at the Sub-Transmission Level connection areas set out below:

- **Connection Area F:** the Distribution System originating from the Armitage TS
- **Connection Area G:** the Distribution System originating from the future Holland Junction TS

The Required Connection Areas Map is attached as Appendix B.

To satisfy this requirement, in addition to completing the Mandatory Qualification Submission Form, the RFQ Applicant must submit a map or maps showing the key components of the proposed Project, including the proposed Connection Point. In addition, the RFQ Applicant must also provide a site plan and layout, as well as an electrical single line diagram showing the Connection Point of the proposed Project.

3.3.4 **Development Experience**

This requirement is designed to provide the OPA with assurance that the RFQ Applicant Team has sufficient experience in planning and developing, and constructing one or more Designated Facilities.

3.3.4.1 **Company Experience**

The RFQ Applicant must demonstrate that the RFQ Applicant or its Control Group Member has successful experience with planning and developing one or more Designated Facilities.

3.3.4.2 **Designated Team Members’ Experience**

The RFQ Applicant must have at least three individuals who are Designated Team Members, of which at least two individuals must be Designated Employees.

Each Designated Team Member must have experience with at least one Designated Facility. The Designated Facility does not need to be the same for all of the Designated Team Members.

In addition, at least:

- one Designated Team Member must, in a Managerial Capacity, have planned and developed a Designated Facility;

- an additional one Designated Team Member must, in a Managerial Capacity, have overseen the construction of a Designated Facility.

This requirement must be satisfied by the RFQ Applicant's responses in the Mandatory Qualification Submission Form and attachment of the CV's of the Designated Team Members.

3.3.5 Tangible Net Worth

3.3.5.1 General Requirement

This requirement is designed to provide the OPA with assurance that the RFQ Applicant has sufficient financial resources to finance and develop the proposed Project so that the proposed Project can be reasonably expected to attain Commercial Operation on or before December 31, 2011.

To pass this requirement, the RFQ Applicant must demonstrate that any one equity provider that accounts for 50% or more of the total proposed Project equity, or if applicable, any group of equity providers that together account for 50% or more of the total equity of the proposed Project (the "**Designated Equity Provider(s)**"), has an individual Tangible Net Worth (or a collective Tangible Net Worth, in the case of a group of Designated Equity Providers), of \$150,000,000:

- at the end of each of the last two (2) fiscal years, and
- at the end of the most recently completed fiscal quarter (if the most recently completed fiscal quarter is not already contained in the last two fiscal years set out above).

To satisfy this requirement, the RFQ Applicant must provide the information required by Sections 3.3.5.2 through 3.3.5.5, inclusive, in addition to completing the Mandatory Qualification Submission Form.

3.3.5.2 Year-End Financial Statements

The RFQ Applicant must attach audited year-end financial statements, as required by GAAP, of the Designated Equity Provider(s) with respect to the last two (2) fiscal years for which audited statements have been issued.

Notwithstanding the foregoing, a Designated Equity Provider who is an individual shall be permitted to provide unaudited financial statements instead of audited financial statements in response to this requirement together with a statutory declaration of such person stating that such unaudited financial statements present fairly, in all material respects, the financial position of the Designated Equity Provider in conformity with GAAP. However, all other Designated Equity

Provider(s) that do not have audited financial statements do not satisfy the requirements of this Section 3.3.5.

3.3.5.3 Most Recently Completed Quarter Financial Statement

The RFQ Applicant must attach audited financial statements of the Designated Equity Provider(s) with respect to:

- its most recently completed fiscal quarter, or
- if the Designated Equity Provider is an issuer of securities that are publicly traded, the most recently completed fiscal quarter for which financial statements have been publicly issued.

If audited financial statements are not available for its most recently completed fiscal quarter (or, for an issuer of publicly-traded securities, the most recent quarter for which financial statements have been publicly issued), the RFQ Applicant must submit unaudited financial statements in response to this requirement together with a statutory declaration of an officer of the Designated Equity Provider(s) (or the Designated Equity Provider if it is an individual) stating that such financial statements present fairly, in all material respects, the financial position of the Designated Equity Provider in conformity with GAAP.

3.3.5.4 Methodology

The RFQ Applicant must attach a summary outlining and describing the methodology used to determine the Tangible Net Worth requirements of Section 3.3.5 based on the information provided in the Qualification Submission.

3.3.5.5 Confirmation

The RFQ Applicant must attach a confirmation from an officer of the Designated Equity Provider (or the Designated Equity Provider if it is an individual, with respect to (a) below), either methodology:

- (a) in the form of a certificate to the best of his or her knowledge; or
- (b) if the Designated Equity Provider is an issuer of securities that are publicly traded, in the form of a public update by the Designated Equity Provider within sixty (60) days of its most recently completed fiscal quarter as to the Designated Equity Provider's financial condition,

that since the date of the latest of the financial statements provided above, no facts or circumstances have arisen that are reasonably expected to materially adversely affect the Designated Equity Provider's financial condition as set out in the annual reports or financial statements submitted in response to this requirement. Without limiting the generality of the foregoing and for purposes of this Section 3.3.5,

facts and circumstances that, estimated reasonably and in accordance with GAAP, result in a reduction in Tangible Net Worth below the minimum Tangible Net Worth required by this Section 3.3.5 shall be deemed to materially adversely affect the Designated Equity Provider's financial condition. If, and to the extent that, there are facts or circumstances that would materially adversely affect the Designated Equity Provider's financial condition as set out in the annual reports or financial statements, the RFQ Applicant must also provide a statutory declaration of the Designated Equity Provider stating, in detail:

- (c) any facts or circumstances that are reasonably expected to materially adversely affect the Designated Equity Provider's financial condition as set out in the annual reports or financial statements submitted in response to this requirement; and
- (d) the revised value of the Designated Equity Provider's Tangible Net Worth, estimated reasonably and in accordance with GAAP having regard to the facts and circumstances set out in (c), together with the calculations supporting such revised value of the Designated Equity Provider's Tangible Net Worth.

3.3.6 **Executive Summary**

The RFQ Applicant must submit an Executive Summary, which is not to exceed three (3) pages, that encapsulates information about (i) the proposed Project or proposed Projects or multiple technical solutions, (ii) the RFQ Applicant Team and (iii) the Tangible Net Worth. The Executive Summary should include, but is not limited to, the following:

Part 1: Proposed Project

- an explanation if the Qualification Submission includes mutually exclusive proposed Projects, or if more than one proposed Project Location will be aggregated into the proposed Project;
- a description of the proposed Project Location as well as the proposed Commercial Operation Date;
- a short description of the plant and major equipment to be used in the proposed Project;
- indication of any other redundancy measures that may be employed;
- the footprint (including stack heights and any additional physical features) of the proposed Project;

- details regarding air and noise emissions and proposed mitigating technologies;
- a short description of the connection arrangement including voltage and Connection Point.

Part 2: The RFQ Applicant Team

- a description and/or a schematic representation of the organizational structure outlining ownership and contractual links among all entities and/or individuals involved in the planning and development, construction, and financing of the proposed Project;
- a summary of the business arrangements for the planning and development and construction of the proposed Project;
- a short description of the key personnel involved in the preparation of the Qualification Submission and in the development of the proposed Project;

Part 3: Tangible Net Worth

- A description of the Tangible Net Worth of the RFQ Applicant Team, including a summary of the Designated Equity Providers.

3.4 Selection of Qualified Applicants

RFQ Applicants that have passed both Stage 1 and Stage 2 will be deemed to be Qualified Applicants. Qualified Applicants and unsuccessful RFQ Applicants will be notified as per Section 2.5.

4. GENERAL TERMS AND CONDITIONS

4.1 Miscellaneous

Except where expressly set out to the contrary in this NYR RFQ, all Qualification Submissions shall become the property of the OPA and shall not be returned to the RFQ Applicant.

For the purpose of determining time of receipt of any Qualification Submission, the clock at the prescribed location in Section 2.4.2 shall govern.

The onus remains solely with the interested party to instruct courier and delivery personnel to deliver the Qualification Submissions to the specified location by the Qualification Submission Deadline as per Section 2.4.2 and Section 2.2 respectively.

All Qualification Submissions must be complete in all respects at the time of submission.

4.2 **Definitions**

Capitalized terms used in this NYR RFQ have the respective meanings ascribed to them in the Glossary of Terms set out in Appendix A. Unless otherwise indicated, references to Sections and Appendices are references to sections and appendices in this NYR RFQ.

4.3 **NYR RFQ Documents**

The following materials form part of, and are incorporated into, this NYR RFQ:

- the body of this NYR RFQ
- Appendices A, B, C, D and E
- any Addenda

Any conflict or inconsistency between the body of this NYR RFQ, the Appendices or any Addenda shall be resolved by interpreting the documents and information in the following order from highest priority to lowest priority:

- (1) Addenda;
- (2) the body of this NYR RFQ including Appendix A; and
- (3) Appendices B, C, D and E

All other information and materials (including responses to questions or comments, and information provided in Technical Consultation Sessions) is provided for information purposes only, does not form part of this NYR RFQ and are not binding on the OPA.

Any conflict or inconsistency between the terms of this NYR RFQ and the Qualification Submission shall be resolved by interpreting such documents in the following order from highest priority to lowest priority:

- (1) this NYR RFQ; and
- (2) the Qualification Submission,

where this NYR RFQ shall govern over the Qualification Submission to the extent of any conflict or inconsistency.

4.4 **RFQ Applicants to Bear All Costs**

RFQ Applicants will bear all costs and expenses in connection with their participation in this NYR RFQ, including any costs incurred in the review of this NYR RFQ and any expert advice required in responding to this NYR RFQ. The OPA and its advisors shall not be liable to pay any RFQ Applicant costs under any circumstances. In particular, the

OPA will not reimburse any RFQ Applicant in any manner whatsoever in the event of rejection of any or all Qualification Submissions or in the event of the cancellation of this NYR RFQ. By submitting any Qualification Submission in response to this NYR RFQ, the RFQ Applicant irrevocably and unconditionally waives any claims against the OPA and its advisors relating to the RFQ Applicant's costs and expenses. Further, the OPA will not, and is under no obligation to, reimburse any interested person that becomes a RFQ Applicant, whether or not such RFQ Applicant submitted a Qualification Submission.

4.5 Verification

All statements, information and documentation submitted as part of the Qualification Submission are subject to verification and enforcement in accordance with the terms of this NYR RFQ. If such statements, information or documentation are determined by the OPA to be incorrect or misleading, the OPA reserves the right to re-evaluate the RFQ Applicant's compliance with the Mandatory Requirements in Stage 2 and to revise the Qualification Submission's status, and the status of the RFQ Applicant, thereafter.

4.6 Reserved Rights of the OPA

The OPA reserves the right to do any or all of the following at its sole discretion:

- make public the names of any or all interested parties and RFQ Applicants, proposed Project Names, and proposed Project Locations
- request written clarification or the submission of supplementary written information from any RFQ Applicant and incorporate a RFQ Applicant's response to that request for clarification into the RFQ Applicant's Qualification Submission
- meet with some or all RFQ Applicants to discuss aspects of their Qualification Submissions
- verify with any RFQ Applicant, or with a third party, any information set out in a Qualification Submission
- contact any party providing financing, including obtaining information on such party whether directly from the party or a third party
- check references whether or not provided by any RFQ Applicant
- disqualify any RFQ Applicant whose Qualification Submission is unsigned, improperly signed, illegible, obscure, contains arithmetical errors, omissions, erasures, alterations, or irregularities of any kind, or contains misrepresentations or any other inaccurate or misleading information

- without any liability, cost or penalty, and in addition to any other remedies available to it at law, revoke an interested party's status as a RFQ Applicant and reject or disqualify any Qualification Submission of such RFQ Applicant, if such RFQ Applicant, or any of its employees, agents, contractors or representatives, discusses or attempts to discuss this NYR RFQ, or any Qualification Submission contrary the prohibitions contained in Section 2.3.2 of this NYR RFQ, except through the channels expressly prescribed in this NYR RFQ
- waive any informality or irregularity
- disqualify any RFQ Applicant or the Qualification Submission of any RFQ Applicant that has engaged in conduct prohibited by this NYR RFQ
- make changes, including substantial changes, to this NYR RFQ provided that those changes are issued by way of Addenda in the manner set out in this NYR RFQ
- issue the NYR RFP with a different Project description, specifications, timelines and/or features
- cancel this NYR RFQ process at any stage
- cancel the issuance of any NYR RFP
- cancel this NYR RFQ process at any stage and issue a new RFQ for the same or a similar generation project
- qualify any or all Qualification Submissions
- qualify only one Qualification Submission
- if only one Qualification Submission is received, elect to qualify or reject it
- to select more than one RFQ Applicant to be a Qualified Applicant

and these reserved rights are in addition to any other express rights or any other rights which may be implied in the circumstances and the OPA shall not be liable for any expenses, costs, losses or any direct or indirect damages incurred or suffered by any RFQ Applicant or any third party resulting from the OPA exercising any of its express or implied rights under this NYR RFQ.

By submitting its Qualification Submission, the RFQ Applicant authorizes the collection by the OPA of any information OPA elects to collect in exercising its rights reserved in this Section 4.6.

4.7 Legal Liability for Breach of NYR RFQ

The RFQ Applicants agree that if the OPA commits a breach of this NYR RFQ, the OPA's liability to the RFQ Applicant, as applicable, and the aggregate amount of damages recoverable against the OPA for any matter relating to or arising from that breach, whether based upon an action or claim in contract, warranty, equity, negligence, intended conduct or otherwise, including any action or claim arising from the acts or omissions, negligent or otherwise, of the OPA, shall be no greater than the Qualification Submission preparation costs that the RFQ Applicant seeking damages from the OPA can demonstrate.

4.8 Compliance

If, in the sole discretion of the OPA a Qualification Submission does not comply with the requirements set out in the NYR RFQ, the OPA shall, without liability, cost or penalty, eliminate the Qualification Submission and the Qualification Submission shall not be given any further consideration. For purposes of the NYR RFQ, "comply" and "compliance" mean that the Qualification Submission conforms to the requirements of the NYR RFQ without material deviation. A "material deviation" is one that, in the opinion of the OPA, results in a material component of a requirement set out in the NYR RFQ not being complied with.

Each RFQ Applicant acknowledges and agrees that the OPA's evaluation of compliance with the NYR RFQ is not an evaluation of absolute compliance and that the OPA may waive failures to comply that, in the OPA's sole discretion, do not constitute a material deviation in accordance with this Section 4.8.

4.9 Governing Law of this NYR RFQ

This NYR RFQ shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein. Each RFQ Applicant submits to the exclusive jurisdiction of the Courts of the Province of Ontario situate in Toronto.

Appendix A Glossary of Terms

The definitions of those capitalized terms and acronyms utilized in this NYR RFQ are provided below.

TERM OR ACRONYM	DEFINITION
Act	Means the Electricity Act, 1998.
Addendum or Addenda	Means any addendum issued by the OPA with respect to this NYR RFQ.
Additional Information Submission Form	Means the optional form attached to this NYR RFQ as Appendix D.
Appendix or Appendices	Means the Appendix or Appendices that form part of this NYR RFQ.
Armitage Tap	Means all portions of the 230 kV transmission lines that tie into the B82V/B83V lines near Holland Junction and terminate at the Armitage TS.
BTU	Means British thermal unit (HHV).
Buyer	Means the Ontario Power Authority, and its successors or permitted assigns.
CCGT	Means combined cycle gas turbine.
CHP	Means combined heat and power.
Commercial Operation	Means the new Project commences operation in compliance with all laws and regulations after the completion of construction, completion of connection and synchronization to the IESO-Controlled Grid or a Distribution System, and completion of all commissioning tests, and the requirements for commercial operation set out in the NYR Contract have been satisfied.
Commercial Operation Date or COD	Means the date on which Commercial Operation is first attained.

Conflict of Interest	Means any situation or circumstance where, in relation to this NYR RFQ process, the RFQ Applicant has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including (i) having or having access to information in the preparation of its Qualification Submission that is confidential to the Ontario Power Authority or the Government of Ontario and not available to other RFQ Applicants; (ii) communicating with any official or representative of the Ontario Power Authority or the Government of Ontario or members of the Evaluation Team with a view to influencing preferred treatment in this NYR RFQ process; or (iii) engaging in conduct (including breach of Non-Collusion Requirements) that compromises or could be seen to compromise the integrity of the open and competitive NYR RFQ process and render that process non-competitive or unfair.
Connection Area	Means Connection Area A, B, C, D, E, F or G as appropriate.
Connection Area A, Connection Area B, Connection Area C, Connection Area D, Connection Area E	Means the portion of the IESO-Controlled Grid as described in Section 3.3.3 and shown pictorially in the Required Connections Areas Map as denoted where the electrical Connection Point from the proposed Project may tie into the IESO-Controlled Grid.
Connection Area F, Connection Area G	Means the portion of the Distribution System that is a Designated Distribution System where the electrical Connection Point from the proposed Project may tie into the Distribution System.
Connection Point	Means the point on a transmission or distribution system at which the proposed Project supplies electricity.
Contract Capacity	Means that portion of the Nameplate Capacity, expressed in MW, that is purchased pursuant to a NYR Contract.
Control Group Member	Means in respect of any entity (the “ Reference Entity ”) an entity (a) that Controls the Reference Entity, or (b) is Controlled by the Reference Entity.

Controlled or Controls	Means, with respect to any person at any time, (i) holding, whether directly or indirectly, as owner or other beneficiary, other than solely as the beneficiary of an unrealized security interest, securities or ownership interests of that person carrying votes or ownership interests sufficient to elect or appoint 50 percent or more of individuals who are responsible for the supervision or management of that person, or (ii) the exercise of de facto control of that person whether direct or indirect and whether through the ownership of securities or ownership interests, by contract or trust or otherwise.
Crown	Means Her Majesty the Queen in Right of Canada or in Right of Ontario, as the case may be.
CV	Means Curriculum Vitae
DBRS	Means DBRS Limited and its successors.
Deadline for Issuing Addenda	Means the date and time on the Timetable or as amended in accordance with this NYR RFQ.
Debt	Means the funds borrowed by the RFQ Applicant to finance the proposed Project.
Designated Associate	Means an individual or employee of a firm who is under contract to the RFQ Applicant to assist it in either planning and developing, or overseeing the construction of the proposed Project and who has, in a Managerial Capacity, either (i) planned and developed, and/or (ii) overseen the construction of, a Designated Facility.
Designated Distribution System	Has the meaning set out in Section 3.3.3.
Designated Employee	Means an individual who is either a principal, officer or an employee of the RFQ Applicant or a Control Group Member of the RFQ Applicant.
Designated Equity Provider	Has the meaning given to it in Section 3.3.5.

Designated Facility	Means an electricity generation facility, other than the proposed Project, that is located anywhere in the world and: A) is the same or similar type of generation facility as the proposed Project. A Designated Facility that is a CCGT or a CHP generation facility will be deemed to be the same or similar type of generation facility as the proposed Project that is a SCGT generation facility; B) has a Nameplate Capacity of at least 25% of the Nameplate Capacity of the proposed Project; and is designated to demonstrate experience and qualification with respect to the planning, development, and construction of the proposed Project.
Designated Team Members	Means the Designated Associates and Designated Employees who are members of the RFQ Applicant Team.
Development Experience	Has the meaning given to it in Section 3.3.4.
Dispatchable Facility	Means a “generation facility” that is not an “intermittent generator” or a “self-scheduling generating facility”, as each of those terms are defined in the Market Rules. It shall also have a Nameplate Capacity of greater than 10 MW.
Distribution System	Means a system for conveying electricity at voltages of 50 kilovolts or less and includes any structures, equipment or other things used for that purpose.
Distribution System Code	Means the “Distribution System Code” published by the OEB.
Dollar, dollar or \$	Means Canadian currency unless otherwise specifically set out to the contrary.
Draft Peaking Contract	Means the form of Peaking Generation Contract posted on the Generation Procurement Website entitled “Draft Generic Form of Peaking Generation Contract”.
Embedded Generation Facility	Means a “generation facility” that is not directly connected to the IESO-Controlled Grid but is instead connected to a “distribution system” as each of those terms are defined in the Market Rules.
End User	Means a person that owns or operates a load facility which utilizes electricity supplied through a direct connection to a Transmission System, a Distribution System, an Existing Generating Facility or the Project.
EST	Means Eastern Standard Time, applicable in the IESO-Administered Markets, as set forth in the Market Rules.

Estimated Total Project Cost or ETPC	Means the estimated total project cost of the proposed Project to be raised by a combination of debt and equity, and which shall consist of hard costs, soft costs and financing costs.
Evaluation Team	Means, collectively, the OPA's personnel and advisors and members selected for the purposes of evaluation.
Executive Summary	Has the meaning given to it in Section 3.2.2.
Existing Generating Facility	Means an electricity generating facility, and ancillary lands required by such generating facility, whose generating equipment is commercially operational and is connected to the IESO-Controlled Grid, Transmission System, Distribution System or End User prior to the Release of NYR RFQ date in the Timetable. For greater certainty, an electricity generating facility is considered to be commercially operational if it has received market revenues and has operated for more than 500 hours per year in any of the past three years.
Expansion	Means an addition of generating unit(s) to an Existing Generating Facility which: (i) is not intended to replace any generating equipment that operates, or had operated within twelve (12) months of the date of submission of the Qualification Submission, at the Existing Generating Facility, (ii) generates electricity output in addition to the electricity output of other generating units that operate or operated at the Existing Generating Facility, (iii) has separate revenue grade meters that conform with the contract requirements and are dedicated to measuring the electrical output of the added generators and that are accessible to the Buyer; and (iv) does not include any of the electricity generating capacity available from the Existing Generating Facility. For greater certainty, an Expansion shall not include an Upgrade of an Existing Generating Facility.
Fairness Advisor	Means the person who is retained by the OPA to provide (i) assurance that the evaluation process is fair and transparent, and (ii) a written statement that attests that the procurement process was conducted in a fair and transparent manner.
GAAP	Means Canadian or U.S. generally accepted accounting principles approved or recommended from time to time by the Canadian Institute of Chartered Accountants or the Financial Accounting Standards Board, as applicable, or any successor institutes, applied on a consistent basis.

Generation Facility Requirements	Means requirements applicable to electricity generators in respect of connection of their equipment to the IESO-Controlled Grid and, in respect of an Embedded Generation Facility, requirements relating to reliability, in each case as specified in Chapter 4 of the Market Rules.
Generation Procurement Website	Means the Generation Procurement section of the OPA website, dedicated to this NYR RFQ, located at www.powerauthority.on.ca/gp
Glossary of Terms	Means this Glossary of Terms forming part of this NYR RFQ attached as Appendix A thereto.
Government of Ontario	Means Her Majesty the Queen in Right of Ontario.
HHV	Means higher heating value.
Hydro One Networks Inc.	Means Hydro One Networks Inc., or its successors.
IESO	Means the Independent Electricity System Operator of Ontario, or its successors.
IESO-Administered Markets	Means the markets established by the Market Rules.
IESO-Controlled Grid	Means the IESO-Controlled Grid as defined by the Market Rules.
Include, Including, include or including	Means including without limitation.
Information and Privacy Commission	Means the Information and Privacy Commissioner as established under the Freedom of Information and Protection of Privacy Act, Ontario, the Municipal Freedom of Information and Protection of Privacy Act, Ontario and the Personal Health Information Protection Act, Ontario.
IPSP	Means the Integrated Power System Plan as submitted by the OPA to the OEB in August 2007.
kJ	Means kilojoule.
kV	Means kilovolt.
kW	Means kilowatt.
kWh	Means kilowatt-hour.
Managerial Capacity	Means that the Designated Employee or Designated Associate personally, and with respect to the Designated Facility, was responsible or managed those that were responsible for these specific functions (planning, developing, or overseeing the construction of the Designated Facility) and exercised discretion over the day-to-day operations of the activity or function for which the individual had authority.

Mandatory Qualification Submission Form	Means the Mandatory Qualification Submission Form that forms part of this NYR RFQ and is attached as Appendix C.
Mandatory Requirements	Has the meaning given to it in Section 3.3.
Market Rules	Means the rules made under section 32 of the Electricity Act, 1998 (Ontario), as amended from time to time.
Material Deviation	Has the meaning given to it in Section 4.8.
Ministerial Directive	Has the meaning set out in Section 1.2.
Ministry or Ministries	Refers to the applicable Ministry or Ministries of the Province of Ontario.
Ministry of Energy	Refers to the Ministry of Energy of the Province of Ontario.
MMBTU	Means one million BTUs.
Moody's	Means Moody's Investors Service, Inc. or its successor.
MW	Means megawatt.
MWh	Means megawatt-hour.
N-1 Generating Facility Conditions	Means any occurrence when one (1) of the generating units at the proposed Project generating facility is unavailable to provide electricity to either the Transmission System or Distribution System through the Connection Points, as applicable.
N-1 System Conditions	Means any occurrence when either one (1) of the electrical circuits B82V or B83V of the Transmission System connecting Claireville TS in Vaughan to Brown Hill TS in Georgina (including the Armitage Tap) has become unavailable to transmit electricity to the IESO-Administered Markets.
N-2 System Conditions	Means any occurrence when both of the electrical circuits B82V and B83V of the Transmission System connecting Claireville TS in Vaughan to Brown Hill TS in Georgina (including the Armitage Tap) have become unavailable to transmit electricity to the IESO-Administered Markets and such disconnects to the said Transmission System have been effected so as to allow supply of electricity to the remaining intact system under the direction of the IESO.
Nameplate Capacity	Means the rated, continuous load-carrying capability net of parasitic or station service loads, expressed in MW, of a generating facility to generate and deliver electricity at a given time, and which includes the Contract Capacity.
New Build	Means construction of generating facilities that is neither an Upgrade nor an Expansion of an Existing Generating Facility.

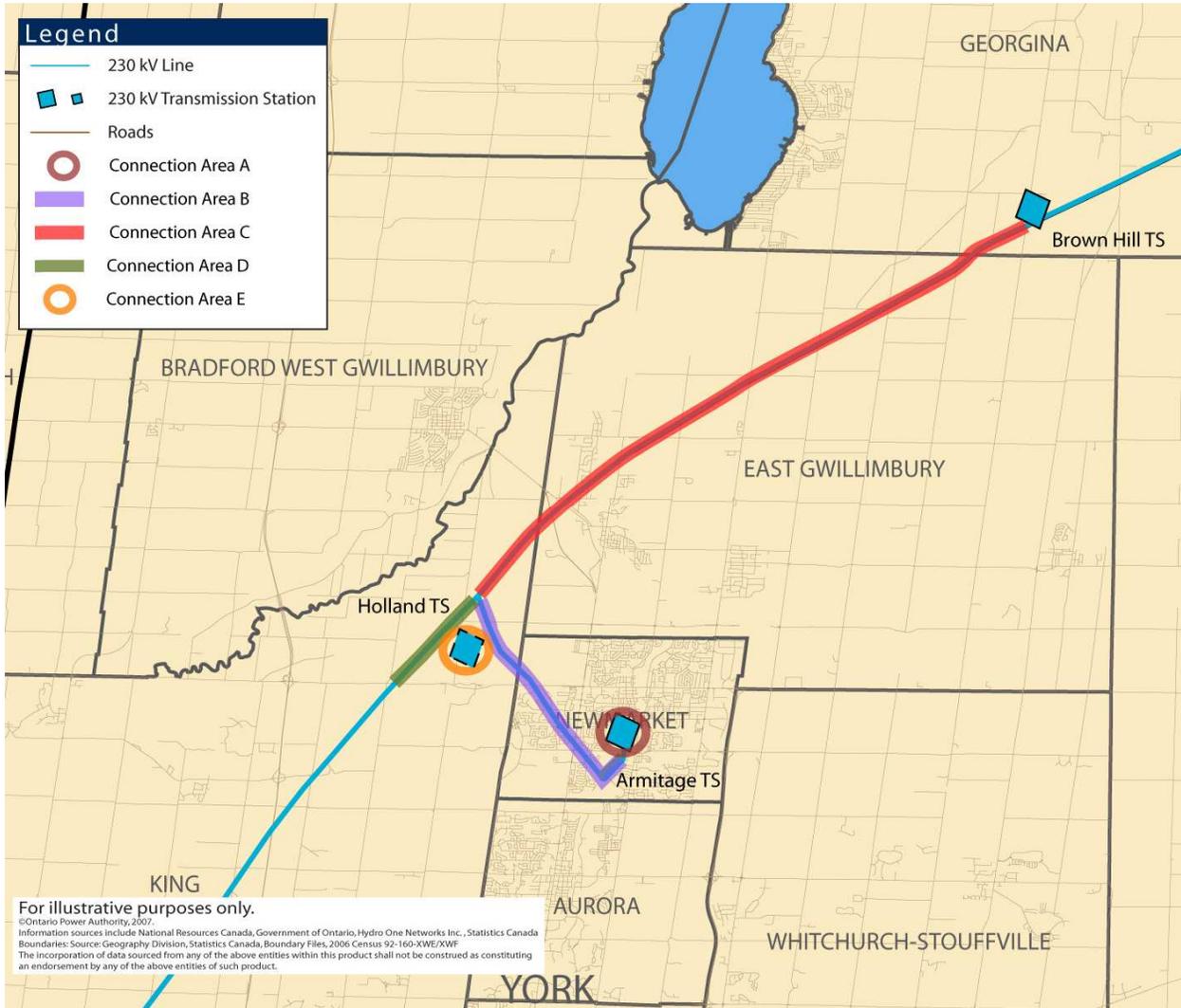
Non-Collusion Requirements	Means requirements that a proponent under the NYR RFP: <ul style="list-style-type: none"> (a) not be involved in determining pricing of a proposal of another proponent thereunder; (b) not coordinate its proposal with any other proponent; (c) keep and will continue to keep its proposal confidential until the conclusion of the NYR RFP and selection of the successful proponent, if any; (d) ensure that no member of proponent’s team has entered into any agreement or arrangement with any member of another proponent which may affect the proposal(s) submitted by the proponent or the other proponent; and (e) not engage in any activity or communication that results in a Conflict of Interest, collusion or a violation of any of the civil or criminal provisions of the Competition Act (Canada).
Northern York Region or NYR	Has the meaning given to it in Section 1.2.
NYR Contract	Means a NYR Contract executed between a Supplier and the Buyer at the conclusion of the NYR RFP.
NYR RFP	Has the meaning given to it in Section 2.7.1.
NYR RFQ	Has the meaning given to it in Section 1.1.
OEB	Means the Ontario Energy Board or its successor.
OEM	Means original equipment manufacturer.
OPA	Has the meaning given to it in Sections 1.1 and 1.4 and includes the successor to the Ontario Power Authority.
Premier of Ontario’s Office, Ontario Cabinet Office, Member of Provincial Parliament, Members of Provincial Cabinet	Refer to the entities or persons by the same or similar names forming part of the government of the Province of Ontario.
Primary Fuel	Means fuel used for electricity generation which represents more than 75% of the total fuel heat input, on a HHV basis, in any calendar year.
Prohibited Communications	Has the meaning given to it in Section 2.3.2.

Prohibited Conduct	Means any activity or communication by a RFQ Applicant or any member of its RFQ Applicant Team that results in a Conflict of Interest, collusion or a violation of any of the civil or criminal provisions of the Competition Act (Canada).
Project	Means the particular power generation facility or facilities to be constructed, developed, owned (or leased) and operated by the Supplier under a NYR Contract as anticipated by this NYR RFQ, and a “proposed Project” is a version and configuration of the Project that is proposed by a RFQ Applicant.
Project Location	Means the geographical location of the proposed Project where a particular generation facility is proposed to be physically located as specified in 3.3.1 of the Mandatory Qualification Submission Form.
Project Name	Means the name by which the proposed Project will be identified as specified on the Mandatory Qualification Submission Form.
Project Technology Configuration	Means the style and quantity of generation equipment (and its proposed Project Location in the case of aggregated facilities) as specified by the RFQ Applicant.
Qualification Submission	Means a submission made pursuant to this NYR RFQ, as outlined in Section 2.4.
Qualification Submission Completeness Requirements	Has the meaning given to it in Section 3.2.
Qualification Submission Deadline	Means the date and time indicated in the Timetable or as amended in accordance with this NYR RFQ.
Qualification Submission Return Label	Means the Qualification Submission Return Label that forms part of this NYR RFQ and is attached as Appendix E.
Qualified Applicant	Means a RFQ Applicant whose Qualification Submission has been selected and accepted by the OPA as a Qualified Submission, in accordance with this NYR RFQ.
Question and Comment Period	Means the time period as specified in the Timetable where interested parties may ask questions regarding this NYR RFQ and the OPA may choose to respond by posting a response on the Generation Procurement Website.
Required Connection Areas Map	Means the Required Connection Areas Map that forms part of this NYR RFQ and is attached as Appendix B.
Required Connection Points	Has the meaning given to it in Section 3.3.3.
Required Form	Means any form attached as an Appendix to this NYR RFQ.
RFQ	Means request for qualifications.

RFQ Applicant	Means the person, legal entity, group of persons or group of legal entities, that submits a Qualification Submission in response to this NYR RFQ and that is responsible to develop, finance, own and operate the proposed Project.
RFQ Applicant Name	Means the name by which the RFQ Applicant will be identified as specified on the Mandatory Qualification Submission Form.
RFQ Applicant Team	Means, collectively, a RFQ Applicant and all entities and persons (including equity providers named in the Qualification Submission) involved in the preparation of the RFQ Applicant's Qualification Submission under this NYR RFQ and/or required by the RFQ Applicant to successfully submit its Qualification Submission for this NYR RFQ. For greater certainty, members of the RFQ Applicant Team shall include the RFQ Applicant and the RFQ Applicant's technical, financial and legal advisors, and any other person otherwise assisting the RFQ Applicant in the preparation of its Qualification Submission, but shall not include any lenders or any technical or legal advisors to such lenders.
Reference Submission	Has the meaning given to it in Section 2.4.1.2.
SCGT	Means simple cycle gas turbine.
Secondary Fuel(s)	Means any fuel used that is not the Primary Fuel.
Section	Means the section or subsection or paragraph or subparagraph of this NYR RFQ as applicable.
Selection of Qualified Applicants	Has the meaning given to it in Section 3.4.
Stages	Means Stages 1 and 2.
Stage 1	Means the stage of the Evaluation Team's evaluation of Qualification Submissions set out in Section 3.2.
Stage 2	Means the stage of the Evaluation Team's evaluation of Qualification Submissions set out in Section 3.3.
Sub-Transmission Level	Means the portions of a Distribution System that operate at a voltage of 44 kV or 28 kV.
Summer Contract Capacity	Means the Contract Capacity for the calendar period of June 1 through August 31 inclusive for each contract year in the NYR Contract.
Supplier	Means a selected proponent in a potential NYR RFP that has executed and delivered to the OPA a NYR Contract.

Tangible Net Worth	Means, in respect of a Designated Equity Provider, at any time and without duplication, an amount determined in accordance with GAAP, and calculated as (a) the sum of capital stock, preferred stock, paid-in capital, contributed surplus, retained earnings, capital reserves, and cumulative translation adjustment (whether positive or negative), minus (b) the sum of any amounts shown on account of any common stock reacquired by the Designated Equity Provider or guarantor as applicable, patents, patent applications, service marks, industrial designs, copyrights, trade marks and trade names, and licenses, prepaid assets, goodwill and all other intangibles.
Timetable	Means the Timetable set forth in Section 2.2.
Transmission System	Means a system for conveying electricity at voltages of more than 50 kilovolts and includes any structures, equipment or other things used for that purpose.
TS or Transformer Station	Means a facility where voltage is reduced from a higher value to a lower value (e.g. 230kV to 44kV) and includes any structures, equipment or other things associated therewith.
Upgrade	Means the refurbishment or replacement of generating equipment at an Existing Generating Facility with equipment which provides better or improved performance, but which for greater certainty does not include an Expansion.

Appendix B Required Connection Areas Map



Appendix C Mandatory Qualification Submission Form

MANDATORY QUALIFICATION SUBMISSION FORM

The following Mandatory Qualification Submission Form constitutes part of a Qualification Submission. Please check all applicable boxes and fill out information as required.

RFQ Applicant Information			
Project Name:			
This is a: (check if applicable)	<input type="checkbox"/> Reference Submission <input type="checkbox"/> Additional proposed Project <input type="checkbox"/> Alternative technical solution	Applicant's Project ID No.	Applicant's Technical Solution ID No.
RFQ Applicant Name:			
Address:			
Contact name:			
Title:	Email:		
Telephone:	Fax:		
RFQ Applicant Structure:	Name(s) of proprietor, directors and officers, partners, or combination		
<input type="checkbox"/> Individual			
<input type="checkbox"/> Sole Proprietorship			
<input type="checkbox"/> Corporation			
<input type="checkbox"/> Partnership			
<input type="checkbox"/> Joint Venture			
<input type="checkbox"/> Incorporated Consortium			
<input type="checkbox"/> Consortium that is a partnership			
<input type="checkbox"/> Other legally recognized entity: _____			

Multiple Proposed Projects or Technical Solutions	
<input type="checkbox"/> Reference Submission <input type="checkbox"/> Additional proposed Project <input type="checkbox"/> Alternative technical solution	If additional or alternative please describe in a Schedule that refers to Section 2.4.1.2 of the NYR RFQ.

3.3: Mandatory Requirements

3.3.1	New Project	<p>Is this a New Build?</p> <input type="checkbox"/> Yes <input type="checkbox"/> No
	Expansion	<p>Is this an Expansion?</p> <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If this is an Expansion, please provide information about the Existing Generating Facility on a schedule referencing Section 3.3.1.</p>
	Aggregation	<p>Is this an aggregation?</p> <input type="checkbox"/> No <input type="checkbox"/> Yes, this is an aggregation of two (2) or more generation facilities as one proposed Project. An additional Mandatory Qualification Submission Form is attached for each facility being aggregated. [NOTE: The RFQ Applicant may use Additional Information Submission Forms (Appendix D) to supplement the information herein.]
	Project Location	<p>Location of Proposed Project:</p> <input type="checkbox"/> Town of Newmarket <input type="checkbox"/> Town of Aurora <input type="checkbox"/> Township of King <input type="checkbox"/> Town of Whitchurch-Stouffville <input type="checkbox"/> Town of East Gwillimbury <input type="checkbox"/> Town of Georgina <input type="checkbox"/> Town of Bradford West Gwillimbury <p>Address: _____ _____</p>
	Attachments	<input type="checkbox"/> Map(s) showing proposed site in relation to neighbouring roads and lands
	Commercial Operation	<input type="checkbox"/> This project will attain commercial operation on or before December 31, 2011. <p>Expected Commercial Operation Date: _____</p>

3.3.1	Compliance with Technical Specification	<input type="checkbox"/> Each proposed Project or alternative technical solution contained in this Qualification Submission complies with the requirements of Section 3.3.1 of the NYR RFQ.
3.3.2	Site Control	<input type="checkbox"/> Own <input type="checkbox"/> Option to purchase <input type="checkbox"/> Lease <input type="checkbox"/> Option to lease <input type="checkbox"/> Option to licence <input type="checkbox"/> "Site Release"
	Attachments	<input type="checkbox"/> Supporting Documentation
3.3.3	Required Connection Points (reference map Appendix B)	<p>IESO-Controlled Grid</p> <input type="checkbox"/> Connection Area A <input type="checkbox"/> Connection Area B <input type="checkbox"/> Connection Area C <input type="checkbox"/> Connection Area D <input type="checkbox"/> Connection Area E <p>Distribution System</p> <input type="checkbox"/> Connection Area F <input type="checkbox"/> Connection Area G
	Attachments	<input type="checkbox"/> Map showing key components of the Project, including proposed Connection Point <input type="checkbox"/> Site plan and layout <input type="checkbox"/> Electrical single line diagram

3.3.4: Development Experience					
3.3.4.1 Planning and Developing? <input type="checkbox"/> Yes	Indicate the experience of the RFQ Applicant or its Control Group Member with Designated Facilities on a Schedule referring to Section 3.3.4.1 of the NYR RFQ. Where the experience of a Control Group Member is indicated, provide a detailed description of the manner and structure pursuant to which the Control Group Member Controls or is Controlled by the RFQ Applicant. For example, where the Control Group Member is a corporate parent, provide an organizational chart showing the shareholding structure, and indicate both the number of directors that the parent has the right to elect, and the total number of directors, of the RFQ Applicant.				
3.3.4.2	Specify at least three (3) unique Designated Team Members who have planned and developed and overseen construction of Designated Facilities:				
Project name and type (Use Schedules if necessary to list projects, referring to Section 3.3.4.2)	Project capacity (MW)	Project Team Member Name	Years of Experience in specified activity	Type of experience	Supporting info attached
1.				Planning & Development	<input type="checkbox"/>
2.				Construction	<input type="checkbox"/>
3.					<input type="checkbox"/>
4.					<input type="checkbox"/>
<input type="checkbox"/> CV's Attached					

3.3.5: Tangible Net Worth					
Estimated Total Project Cost (\$)					
Expected financing structure:	Percent Debt:		Percent Equity:		
	Debt (\$):		Equity (\$):		
50% of Project Equity (\$):					
Designated Equity Providers		% Estimated Total Project Cost		Tangible Net Worth	
		%	\$	Fiscal Year End:	Fiscal Year End:
3.3.5.2	Year-End Financial Statements	Attachments: <input type="checkbox"/> Audited year-end financial statement (2006 or equivalent) <input type="checkbox"/> Audited year-end financial statement (2005 or equivalent)			

3.3.5.3	Most Recently Completed Quarter Financial Statement	Attachment: <input type="checkbox"/> Most recently completed quarter financial statement
3.3.5.4	Methodology	Attachment: <input type="checkbox"/> Summary outlining and describing methodology used to determine Tangible Net Worth
3.3.5.5	Confirmation	Attachment: <input type="checkbox"/> Confirmation Declaration from Officer of Designated Equity Provider

3.3.6: Executive Summary

3.3.6	Attachment: <input type="checkbox"/> Executive Summary
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- I acknowledge, on behalf of the RFQ Applicant, that I have read the NYR RFQ and all Addenda, if applicable.
- I acknowledge that I have completed this form accurately and truthfully.
- The attached Additional Information Submission Forms numbered _____ and the other attachments hereto supplement this Mandatory Qualification Submission Form and form part of the Qualification Submission.

Dated this _____ day of _____ 2008.

[RFQ Applicant]

 Per: (authorized signing officer)
 Print Name: _____
 Title: _____
 Phone Number: _____
 Fax Number: _____

I/we have the authority to bind the RFQ Applicant.



Appendix D Additional Information Submission Form

ADDITIONAL INFORMATION SUBMISSION FORM

The following Additional Information Submission Form constitutes part of a Qualification Submission when utilized for such purpose by a RFQ Applicant. It is an optional form. To the extent that information inserted by RFQ Applicant in this form modifies or supplements Appendix C: Mandatory Qualification Submission Form, it will be considered to be part of the Qualified Submission.

Information provided in an Additional Information Submission Form as part of a Qualification Submission may be modified, deleted or otherwise changed by a Qualified Applicant for the purposes of submission to the NYR RFP, should an NYR RFP be issued by the OPA, and such modification, deletion or other change shall not result in exclusion from the NYR RFP. The preceding shall not be interpreted so as to prejudice provisions of this NYR RFQ relating to the Mandatory Requirements nor to prejudice provisions of any NYR RFP relating to any mandatory requirements therein.

Please check all applicable boxes and fill out information as required. By filling out this form, you are providing the OPA with additional information about your proposed Project. This information will help the OPA to better understand your proposed Project and assist with development of any future Request for Proposals (RFP) that the OPA may, in its discretion, elect to issue.

RFQ Applicant Information
Project Name:

Multiple Proposed Projects or Technical Solutions			
This is a: (check if applicable)	<input type="checkbox"/> Reference Submission <input type="checkbox"/> Additional proposed Project <input type="checkbox"/> Alternative technical solution	Applicant's Project ID No.	Applicant's Technical Solution ID No.

Status of Major Equipment			
Major equipment already purchased or procured	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please indicate status: <input type="checkbox"/> Purchased <input type="checkbox"/> Order placed <input type="checkbox"/> Other:	If yes, please indicate date of equipment availability (dd/mm/yyyy):
Option to purchase major equipment	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please indicate date of equipment availability (dd/mm/yyyy):	
Generation equipment	Style	<input type="checkbox"/> Frame gas turbines <input type="checkbox"/> Aero-derivative gas turbines <input type="checkbox"/> Other If other, please describe:	
	OEM vendor		
	Model		
	Size		
	Quantity		
	Configuration		
Project Nameplate Capacity (MW):			
Season	Contract Capacity (MW)	Contract Capacity with one (1) generating unit unavailable (Generating Facility N-1 Condition) (MW)	Contract Heat Rate [BTU/kWh(HHV)]
Winter (Dec-Feb):			
Spring (Mar-May):			
Summer (Jun-Aug):			
Fall (Sep-Nov):			
Attachments:			

Fuel Supply		
Natural gas connection	<input type="checkbox"/> Union <input type="checkbox"/> Enbridge <input type="checkbox"/> TransCanada Pipelines <input type="checkbox"/> Bypass <input type="checkbox"/> Other: _____	
Indicate if this Project has multiple natural gas connection options:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	If yes, please provide additional information:	
	<hr/> <hr/> <hr/>	
Distance to existing gas supply pipeline (km):		
Secondary Fuel (if applicable):		
Primary Fuel usage (% per year):	Secondary Fuel usage (% per year):	
Attachments:	<input type="checkbox"/> Fuel supply description <input type="checkbox"/> Fuel connection map <input type="checkbox"/> Other natural gas supply information	

Electrical Connection		
Distance from Project to Connection Point	<input type="checkbox"/> Less than or equal to 2 km <input type="checkbox"/> Greater than 2 km	
	Specify actual distance [km] _____	
Connection voltage:	<input type="checkbox"/> 230 kV <input type="checkbox"/> 44 kV <input type="checkbox"/> Other (specify): _____	
Indicate if this Project has multiple connection options:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	If yes, please provide additional information:	
	<hr/> <hr/> <hr/>	
Attachment:	<input type="checkbox"/> Information regarding multiple connection options	

Status of Project	
Commercial Operation	
Estimated time from contract award to COD:	
Amount of time the Project has been under development:	
Attachment:	<input type="checkbox"/> Project plan outlining achievement of proposed COD

Permitting					
Indicate whether permitting of the Project has commenced:		<input type="checkbox"/> Yes <input type="checkbox"/> No			
Please state Environmental Assessment category and status (<i>if in progress please check whichever are applicable</i>):		<input type="checkbox"/> Category A <input type="checkbox"/> Category B <input type="checkbox"/> Category C	<input type="checkbox"/> Complete <input type="checkbox"/> In progress <input type="checkbox"/> Not commenced <input type="checkbox"/> Not required	<input type="checkbox"/> Commencement notice issued <input type="checkbox"/> Open house(s) held <input type="checkbox"/> Environmental review commenced <input type="checkbox"/> Environmental review completed <input type="checkbox"/> Other:	
Municipal Approvals					
Current zoning of the Project site:					
Zoning permits the development and operation of the Project:		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure			
If no, please state progress in obtaining by-law amendment:		<input type="checkbox"/> Application submitted to municipality/ies <input type="checkbox"/> In discussion with municipality/ies <input type="checkbox"/> Not commenced			
Current official plan designation of the site:					
Designation allows the development and operation of the Project:		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure			
If no, please state progress in obtaining official plan amendment:		<input type="checkbox"/> Application submitted to municipality/ies <input type="checkbox"/> In discussion with municipality/ies <input type="checkbox"/> Not commenced			
List any other local, municipal, regional, provincial and federal permits that are applicable to the Project:		Permit	Obtained	In Process of obtaining	Not obtained
	1.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attachments:		<input type="checkbox"/> List of permits and status			
Impact Assessments					
System Impact Assessment	<input type="checkbox"/> Complete	<input type="checkbox"/> Preliminary complete	<input type="checkbox"/> Submitted	<input type="checkbox"/> Not submitted	<input type="checkbox"/> N/A
Customer Impact Assessment	<input type="checkbox"/> Complete	<input type="checkbox"/> Preliminary complete	<input type="checkbox"/> Submitted	<input type="checkbox"/> Not submitted	<input type="checkbox"/> N/A
Connection Impact Assessment	<input type="checkbox"/> Complete	<input type="checkbox"/> Preliminary complete	<input type="checkbox"/> Submitted	<input type="checkbox"/> Not submitted	<input type="checkbox"/> N/A
Copies of impact assessment(s) attached:		<input type="checkbox"/> Yes <input type="checkbox"/> No			

Financing		
Are financing arrangements in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Indicate whether any financing has been formally committed to the project in the form of a commitment letter or other documentation:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Type of financing commitment(s):
Indicate if the RFQ Applicant has arranged financing of similar projects (type and total project costs) before:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please indicate type of project(s) and total project costs, as well as type of financing:		
Attachments:	<input type="checkbox"/> Additional financing information	

Dated this _____ day of _____ 2008.

[RFQ Applicant]

Per: (authorized signing officer)

Print Name: _____

Title: _____

Phone Number: _____

Fax Number: _____



Appendix E Qualification Submission Return Label

(Full Legal Name and Address of RFQ Applicant)

NAME _____

RFQ No.: NYR RFQ-2008

NAME _____

ADDRESS _____

CONTACT _____

PHONE NO. _____

FAX NO. _____

E-MAIL ADDRESS _____

BNY Trust Company of Canada
4 King Street West
Suite 1101
Toronto, ON M5H 1B6
Attention: NYR RFQ

The Postal Code is to aid in identifying the building only. The onus remains solely with interested parties to instruct courier/ delivery personnel to deliver Qualification Submissions to the exact floor location specified above by the Qualification Submission Deadline. Interested parties assume sole responsibility for late deliveries if these instructions are not strictly adhered to.