

# Feedback Form

## Long-Term 2 RFP – July 4, 2024

### Feedback Provided by:

Name: Warren Howard

Title: Consultant/Former Municipal Councillor

Organization: Click or tap here to enter text.

Email: [REDACTED]

Date: July 16, 2024

To promote transparency, feedback submitted will be posted on the Long-Term RFP engagement page unless otherwise requested by the sender. If you wish to provide confidential feedback, please mark "Confidential".

Following the LT2 RFP July 4, 2024, engagement webinar, the Independent Electricity System Operator (IESO) is seeking feedback from stakeholders on the items discussed. The presentation and recording can be accessed from the LT RFP [engagement web page](#).

**Please submit feedback to [engagement@ieso.ca](mailto:engagement@ieso.ca) by July 19, 2024.**

## MT2 RFP

Topic	Feedback
Do you have any feedback regarding resource eligibility under the MT2 RFP?	
Do you have any feedback regarding the IESO's proposed method of determining the procurement target for the MT2 RFP?	
Do you have any feedback regarding the contract structure or term length under the MT2 RFP?	
Do you have any feedback regarding capacity qualification for the MT2 RFP?	
Do you have any feedback regarding proposal submission fees and proposal security requirements for the MT2 RFP?	
Do you have any feedback to share regarding the IESO's proposed method of proposal evaluation under the MT2 RFP	Municipal support resolution with community consultation required before submission. See detailed discussion below.

## LT2 RFP Capacity Stream

Topic	Feedback
Do you have any feedback to share regarding the capacity stream under the LT2 RFP?	

## LT2 RFP Proposal Evaluation

Topic	Feedback
Do you have any feedback to share regarding the IESO's proposed method of proposal evaluation under the LT2 RFP?	

## LT2 RFP Proposal Security

Topic	Feedback
Do you have any feedback to share regarding the proposal security requirements under the LT2 RFP?	

## General Comments/Feedback

### Considerations in Extend Contract:

Much of the discussion during the July 4<sup>th</sup> webinar confirmed the need for municipal consultation as it did not reflect an understanding of the situation for residents who are affected by these wind turbine projects. They were approved before the rules in regulation 359-09 were put in place as part of the Green Energy Act. Noise emissions from wind turbines were not properly reflected in the noise modeling used to assess the impact on residents and many turbines were placed too close to nearby residents. These problems have not solved themselves during the term of the contract as in many cases the turbines need to be relocated to eliminate the problems.

Given these apparent information gaps, proposals to extend existing contracts should not be exempt from the Ministerial directives that **all** proposals require municipal support.

### Proposed Process to Extend Contracts:

When consideration is being given to extending an existing contract, the following steps should be undertaken:

- Assuming that the contract holder is in compliance with its obligations to the IESO, the IESO should contact the Ministry of Environment, Conservation and Parks to confirm that the project is operating within the terms of its Certificate of Approval or Renewable Energy Approval. The key considerations in terms of the approval are meeting noise thresholds at nearby receptors and prompt resolution of any complaints related to the operation of the project. Unresolved complaints are particularly important as they point to issues that need to be addressed, potential legal exposures if the contract is renewed without resolution and issues that could be raised in community meetings.
- The IESO should then contact the host municipalities to advise that the contract is under review for an extension and advise them of the municipal role in providing a municipal support resolution for the project or any amendments required. This discussion should also include an outline of the community consultation process.
- The contract holder should be required to hold public meetings seeking input from the wider community. These need to be properly advertised and involve more than the existing leaseholders that are paid to host wind turbines on their property. Guidelines for public meetings are provided in 359/09.

- The contract holder should provide council's with specific activities that they will be undertaking on the project during the life of the contract extension. These changes plus any additional changes required by the municipality would be incorporated as an appendix to the Municipal Support Resolution.

### **Examples of Specific Considerations**

Through work with community groups since initial wind turbine projects were initiated, the following types of situations that will be encountered in potential contract extensions:

**Melancthon** – In internal training presentations, staff in the MECP's Guelph District Office documented that the initial modeling of noise output from this project used incorrect wind shear factors which resulted in flawed modeling of the noise at receptors closest to 35 of the 133 turbines in the project. These locations will be exposed noise levels above the 40 dBA limit in certain wind conditions. Changes to operating procedures were proposed but there is no indication that the operator complied with these changes.

One resident wrote to Council reporting continued problems with vibrations from the transformer station related to this project. In October 2022, the Council of Amaranth (the host municipality) passed a resolution requesting that the IESO extend the agreements with TransAlta until information was provided to Council and Amaranth residents.

There is no indication that the IESO has taken action on this municipal request.

**Enbridge Underwood Project** – Improper assessment of wind shear was also an issue with the noise modeling that supported the Underwood Project. Using the correct factors for wind shear in the noise modeling would show that 99 of the 110 turbines in this project would not be compliant with 40 dBA noise limit. In total, 42 of the 110 turbines are less than 550 metres from non-participating residents.

As a result, the operators of the project have never been able to demonstrate that the project operates within the 40 dBA noise limit despite endless rounds of testing beginning in February 2011. The most recent report on testing is dated July, 2023 was inclusive. It has been under review by MECP since that time without decision. The project ranks among the top five in terms of resident complaints since operation began in 2006. Few, if any of the complaints, have been resolved.

**Ashfield-Colborne-Wawanosh** – Capital Power has approached ACW Council looking for support to extend the contract for the Kingsbridge 1 project. This submission included letters of support from the leaseholders who rent the land for the turbines to Capital Power. Local residents questioned this project but were told by the township clerk, that the township had no role in this contract extension as it was totally under the control of the provincial government.

A 2021 review of turbine failures by the Multi-Municipal Energy Working Group of wind turbine failures identified 10 situations including 1 situation where a turbine in this project was destroyed by fire. Since then, a second turbine in this project also caught fire. Given its responsibility for fire protection in this area, one would think that the Council would have requested an upgrade on the fire safety equipment in these towers if they understood that they had a role in the process.

**Other Projects** – The situation at these three projects are typical of the situation of other early projects. Noise modeling that supported the positioning of the wind turbines has proven to be flawed

with above standard noise levels being experienced at many homes. Noise audits were not a standard requirement in early projects but the problems and test results are documented in MECP complaint records.

## **Conclusion**

Before any contact extensions are granted, the IESO needs to ensure that the project is operating in compliance within the 40 dBA noise standard. Requirements related to noise modeling have improved but the basic limit of 40 dBA has been a consistent requirement since the initial turbine development. Problems with any turbines that are not compliant with this standard need to be addressed.

While the contracts are in place, many attempts to correct issues have been met with threats of or actual legal action by the contract holder. They have argued that moves by the government to correct the issues endanger their revenue streams being derived from the contract. In granting the original approval for the project, the government approved the project plan for the term of the contract making it difficult to enforce expensive changes to the project during the initial term of the contract.

Once the term of the contract has expired, these obligations no longer exist and responsibility for addressing the issues rests fully with the proponent seeking to extend the contract. If the problems are not corrected as part of the contract extension process, then the government will once again become legally responsible for the problems with the original approval.