



1112500 Alberta Ltd.

New Small Power Plant

August 30, 2010

ALBERTA UTILITIES COMMISSION

Decision 2010-423: 1112500 Alberta Ltd.

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Application No. 1605835

Proceeding ID. 469

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Fifth Avenue Place, 4th Floor, 425 - 1 Street SW
Calgary, Alberta
T2P 3L8

Telephone: (403) 592-8845

Fax: (403) 592-4406

Web site: www.auc.ab.ca

**1112500 ALBERTA LTD.
NEW SMALL POWER PLANT
THE TOWN OF ATHABASCA**

**Decision 2010-423
Application No. 1605835
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1 INTRODUCTION

1. 1112500 Alberta Ltd. (the Applicant) filed an application with the Alberta Utilities Commission (AUC or Commission) for approval, pursuant to section 11 of the *Hydro and Electric Energy Act*, to construct and operate a 300-kW, natural gas-powered 3412 Caterpillar generator (Power Plant) in the Athabasca area and for an order, pursuant to section 18 of the *Hydro and Electric Energy Act*, to connect the Power Plant to FortisAlberta Inc.'s facilities. The application was registered on January 27, 2010 as Application No. 1605835 (Application).

2. The Power Plant will be located in the northwest quarter of Section 8, Township 66, Range 22, West of the 4th Meridian, approximately four metres northeast of the Independent Electric & Controls (IEC) facility at the IEC site south of the Town of Athabasca.

2 DISCUSSION

3. The Applicant stated that it notified all occupants, residents, and landowners within two kilometres; consulted all occupants, residents, and landowners within 800 metres of the Power Plant site; and through posting of the particulars of the proposed Power Plant in local newspapers, provided the opportunity for interested parties to raise concerns regarding the proposed Power Plant. The Applicant stated that it did not receive any questions or concerns about the Power Plant as a result of its public involvement program.

4. The Applicant stated that it is not aware of any concerns raised about the Power Plant through the development permit process. The Applicant received a development permit from the Town of Athabasca on December 17, 2007.

5. The Applicant submitted a Noise Impact Assessment (NIA) dated May 13, 2010, which was prepared by ACI - Acoustical Consultants Inc. The NIA stated that the Power Plant would be housed in a sealed building, internally lined with sound-absorbing material with an external aerial cooler facing east. The nearest and the most impacted residence is located 565 metres west from the proposed Power Plant. The NIA stated that the sound pressure level (SPL) of the proposed Power Plant at the nearest and the most impacted residence would be 39.2 dBA L_{eq} nighttime. The predicted sound level would be below the Permissible Sound Level of 43 dBA L_{eq} nighttime as set out in *AUC Rule 012 - Noise Control*.

6. The Applicant submitted that the Power Plant would not have any adverse environmental impacts because it would be housed in a sealed building and located entirely on previously disturbed land which is presently being used for industrial purposes.

7. The Applicant proposed to connect the Power Plant to FortisAlberta Inc.'s distribution system. The Applicant has a connection agreement with FortisAlberta Inc. dated December 14, 2009.

3 FINDINGS

8. The Commission notes the Applicant's submission that a participant involvement program has been conducted and finds that there are no outstanding public or industry objections or concerns.

9. The Commission has considered the NIA submitted by the Applicant and finds the predicted noise levels fulfil the requirements of *AUC Rule 012 – Noise Control*. However, should a valid complaint regarding noise be made against the Power Plant, the Applicant may be asked to cease operating the proposed Power Plant, to conduct a post-construction noise assessment, and to mitigate any noise in excess of permissible sound levels as stated in *AUC Rule 012*.

10. The Commission notes that the operation of the Power Plant would have no significant environmental impacts.

11. The Commission recognizes the connection agreement between the Applicant and FortisAlberta, a copy of which was provided to the Commission with the Application.

12. Due to the nature of the Application and the reasons stated above, the Commission considered that a Notice of Application and a hearing were not required as the Commission's decision or order regarding this Application would not directly and adversely affect the rights of a person pursuant to section 9 of the *Alberta Utilities Commission Act*.

13. The Commission has reviewed the Application and has determined that the Applicant has satisfied the requirements pursuant to sections 11 and 18 of the *Hydro and Electric Energy Act* respecting the technical, siting, emissions, and environmental aspects of the Power Plant.

4 DECISION

14. Pursuant to sections 11 and 18 of the *Hydro and Electric Energy Act*, the Commission approves the Application and grants the approval set out in Appendix 1 – Power Plant – Approval No. U2010-314 – August 30, 2010 and the order set out in Appendix 2 – Connection Order – Order No. U2010-317 – August 30, 2010, to 1112500 Alberta Ltd. (the appendices will be distributed separately).

Dated on August 30, 2010.

ALBERTA UTILITIES COMMISSION

(original signed by)

Thomas McGee
Commissioner