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Application and hearing process

Applicant:

- **Buffalo Plains Wind Farm Inc.**

Applying for a wind power plant project in the Lomond, Alberta area

Buffalo Plains Wind Farm project

Proceeding 26214

Lead application officer: Victor Choy (victor.choy@auc.ab.ca)

General information or assistance: info@auc.ab.ca or 310-4282





Alberta Utilities Commission role



Independent government agency responsible for making decisions about power plants and transmission infrastructure.

Has an established and fair process to review applications to consider social, economic and environmental impact of utility development in Alberta.



Virtual information session: purpose



1. To provide you with some basic information about the project as well as the public hearing process the AUC will use to determine if it would be in the public interest to approve the applications.
2. To describe the opportunity for public involvement in an AUC hearing process. If you believe that approval of this project would affect you, you should know exactly how you can have your concerns heard, understood and considered in the AUC's decision-making process.
3. To give you the exact steps to follow to register in the proceeding and formally participate in the AUC hearing process.





Agenda

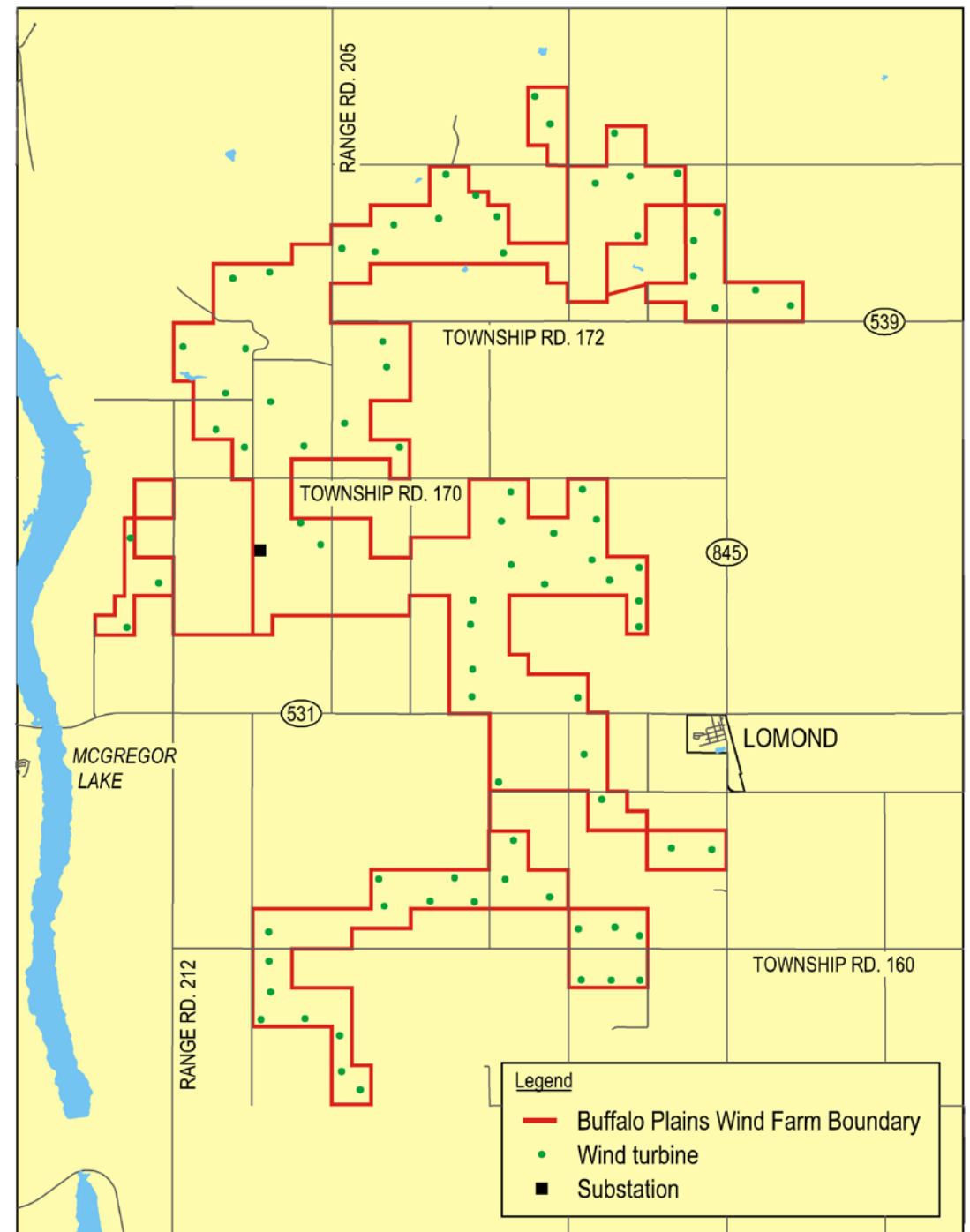
1. Application and general overview of what has been submitted for approval
2. How to participate (or provide your submission) to the AUC through the eFiling System
3. How to file your submission
4. Participation in an AUC public hearing
5. Local intervener funding - how to apply for funding to support your position
6. Process steps
7. Decision



Buffalo Plains Wind Farm Project

Buffalo Plains Wind Farm Inc. is proposing a 514.6-megawatt wind power project in the Lomond area.

- The project consists of 83 wind turbines, a collector substation and 34.5-kilovolt collector system.
- The project is sited on 126 privately owned quarter sections on approximately 17,500 acres





The applications

- Each wind turbine is rated at 6.2-megawatts, with a hub height of 115 metres, a rotor diameter of 170 metres and an overall height to blade tip of approximately 200 metres.
- The collector substation is located in SW36-16-21-W4M and contains two 240/34.5-kV transformers, two 240-kV circuit breakers, and associated substation equipment
- The collector system consists of both underground and overhead power lines.
- Project highlights and maps can be found on the applicant's project page (and in the applications) <https://www.abo-wind.com/en/the-company/international/canada/buffalo-plains.php>.
- Please note that the AUC may make its decision without further notice or process if no written submissions are received. If submissions are received, the AUC may conduct the hearing entirely in writing or through an oral hearing and will provide additional information on the remainder of the process schedule in due course.



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How to participate (or provide your submission) to the AUC through the eFiling System.

Visit the AUC website under **Have your say > About a utility project**

Funding to support your position is available for local interveners that have standing.



**Initial submission
deadline: February 24,
2021**



**Evidence submission
deadline: April 21, 2021**

Step 1

Log in to the electronic filing system, the eFiling System, to provide basic information about your concern regarding the project.

The submission includes:

- Name (or organization), address, land location, phone number and email address.
- Description of the nature of your interest and concerns with, or support for the project.

Step 2

Prepare your evidence and/or seek legal and expert witness support for your submission in the proceeding and during the hearing.

If you do not wish to participate in the hearing (Step 2), your written submission will still be considered by the AUC in its decision.



How to file your submission



1. Visit www.auc.ab.ca and access the eFiling System.
2. Create a new account.
3. File your submission in Proceeding 26214

Log in and file your submission

- Once logged in to the eFiling System enter the proceeding number (26214) in the **Go to...** section.
- Click on “**Registered parties**” and click the “**Register to participate**” button and fill in the form as shown.
- Contact info@auc.ab.ca for assistance or visit the user guide or quick tips on the [How to use eFiling](#) page.

Step 1: Registration Type

I am registering as: **Intervener** Select registration type
Participant Type Description: You intend to submit a filing with the Commission in respect to the application(s).

Step 2: Contacts

My primary contact is: Joanne Jansen
My secondary contact is: Selec Test User

Step 3: Statement of Intent to Participate

Please describe your interest in this proceeding. Tell us how our decision on the applications(s) may affect you, your land, your business, or your activities. Additional information may be added after registering this form.

Statement of intent to participate

Briefly describe the issue(s) you would like the Commission to consider when making its decision and in your opinion, whether further process is required.

Issues for the Commission to consider

Legal Land Description (if applicable) LSD Section Township Range Meridian
[] [] [] [] W []

I own or occupy land that is [] of the proposed project.

Do you want to personally participate if a hearing is held on this matter? * Yes No

The information in this form is my complete statement of intent to participate
 I will submit additional information as part of this statement of intent to participate

The information you provide in this form will be registered as a statement of intent to participate and can be found in Documents

Register To Participate Cancel



Participation in an AUC public hearing



- Evidence and questions **must be submitted prior to a hearing** according to the schedule and may be tested by questioning. The schedule is available on the AUC's [Buffalo Plains Wind Farm Project](#) page and through the eFiling System proceeding documents.
- If an oral hearing is required, it may be organized as an online virtual hearing, but the general process steps will remain the same. More information about what happens at an oral hearing is available on this web page found on the website under [Review process > What happens at a hearing](#).



Participation in an AUC public hearing: standing

- Based on what is filed, the AUC will determine if those who file submissions have standing to participate in the hearing.
- Standing is granted to those that demonstrate they have rights that may be directly and adversely affected by the Commission's decision on the applications.
- For generation applications, standing is generally granted to those who own property or reside within 2000 metres of the project boundary.



Participation in an AUC public hearing: standing

- For the purposes of this proceeding, the Commission generally considers that persons who own or reside on property located within 2,000 metres of the proposed project boundary have rights that may be directly and adversely affected by its decision on the applications and therefore have standing. Persons with standing will be legally entitled to participate in the hearing process if they choose to, and will qualify for intervener funding, which may include costs for legal representation and expert witnesses.
- Standing for other participants will be considered on a case-by-case basis. If the Commission receives an objection to a person's request to participate or status as an intervener, the Commission will make a decision on whether the person has standing or is eligible for intervener costs.
- All interveners are encouraged to consider whether to hire legal representation, and prepare information requests and evidence, as early as possible. Intervenors with similar interests are encouraged to form groups, as group participation reduces duplication of submissions and costs, and supports an efficient hearing process.

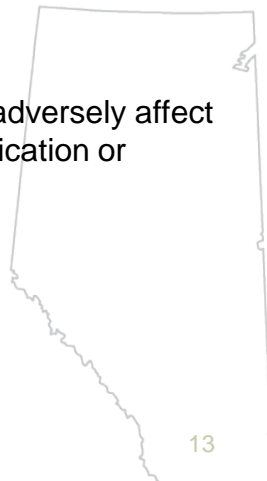




Participation in an AUC public hearing: standing for Indigenous groups



- The AUC has the authority to consider and address potential adverse impacts to Aboriginal and treaty rights as provided in Section 35 of the *Constitution Act*, 1982, when deciding whether approval of a utility project is in the public interest.
- The Commission is committed to ensuring that Indigenous groups whose constitutionally protected rights may be directly and adversely affected by development have the opportunity to have their concerns heard, considered, understood and accommodated (if required).
- If you feel your community may be affected by an application you can register to participate and submit a statement of intent to participate form to demonstrate to the Commission how the rights being asserted may be directly and adversely affected by the Commission's decision on an application.
- The Commission will review the statement of intent to participate and make a standing decision based on a two-part test (Section 9(2) of the [Alberta Utilities Commission Act](#)).
- If you have questions related to participation for Indigenous groups, you can contact Amanda Spyce, Indigenous consultation lead at 403-701-6476 or amanda.spyce@auc.ab.ca.
 - The first part of the test is legal: you must demonstrate that your right(s) or interest(s) is recognized in law.
 - The second part of the test is factual: you must provide information that shows the Commission's decision on the application may directly and adversely affect your right(s) or interest(s). In other words, tell us who is using the land in question, how they are using the land and how a decision on the application or proposed project may affect that use.





Participation in an AUC public hearing: Local intervener funding

- A selection of recent standing rulings can be found on the AUC website:
 - [Decisions and notices > Facility decision index > Standing decisions](#)
- A local intervener is a person or group occupying or entitled to use land considered to be directly and adversely affected by an AUC decision.
- The AUC's [Rule 009: Rules on Local Intervener Costs](#) outlines the process and requirements for local interveners to request reimbursement of certain costs related to participating in a facility proceeding or hearing. More on the AUC website under [Review process > Funding for participants](#).





Local intervener funding

- To make informed decisions in the public interest, it is integral that the AUC receives the best possible information and evidence from landowners and others participating in AUC hearings.
- However, the AUC recognizes that many hearing participants may not have the expertise or resources to prepare a complete submission or represent themselves at a hearing.
- If you are granted standing, you may qualify for local intervener funding to assist with costs of participating in a hearing, including the costs associated with hiring a lawyer and expert witnesses. After a hearing, you may apply to the AUC to be reimbursed for costs such as legal fees, expert fees, hearing attendance, and out-of-pocket expenses.
- To learn more, visit [Have your say > About a utility project](#) on the AUC's website.





Local intervener funding: cost assessment

- How the AUC assesses costs:
 - Were the costs reasonable while being directly and necessarily related to the project?
 - Did the party contribute to a better understanding of the issues?
 - Did the party take steps to reduce duplication (i.e., work with neighbours and others with similar interests to present a coordinated intervention)?
- Eligibility to recover costs does not guarantee full recovery of these costs. The AUC generally assesses costs claims on the basis of their reasonableness and direct relation to the proceeding, contribution to a better understanding of the issues, and lack of duplication with other parties. If you are granted standing, you are encouraged to consider coordinating with other interveners with similar concerns and interests to participate in the hearing as a group.





Process steps for Proceeding 26214



Process step	Date/due date
Online question and answer session	February 17, 2021, 6:30 p.m.
Intervenors' participation submissions	February 24, 2021
Intervenors' information requests (questions) to applicant's deadline	March 24, 2021
Applicant's deadline to respond to information requests	April 7, 2021
Intervenors' written evidence deadline	April 21, 2021

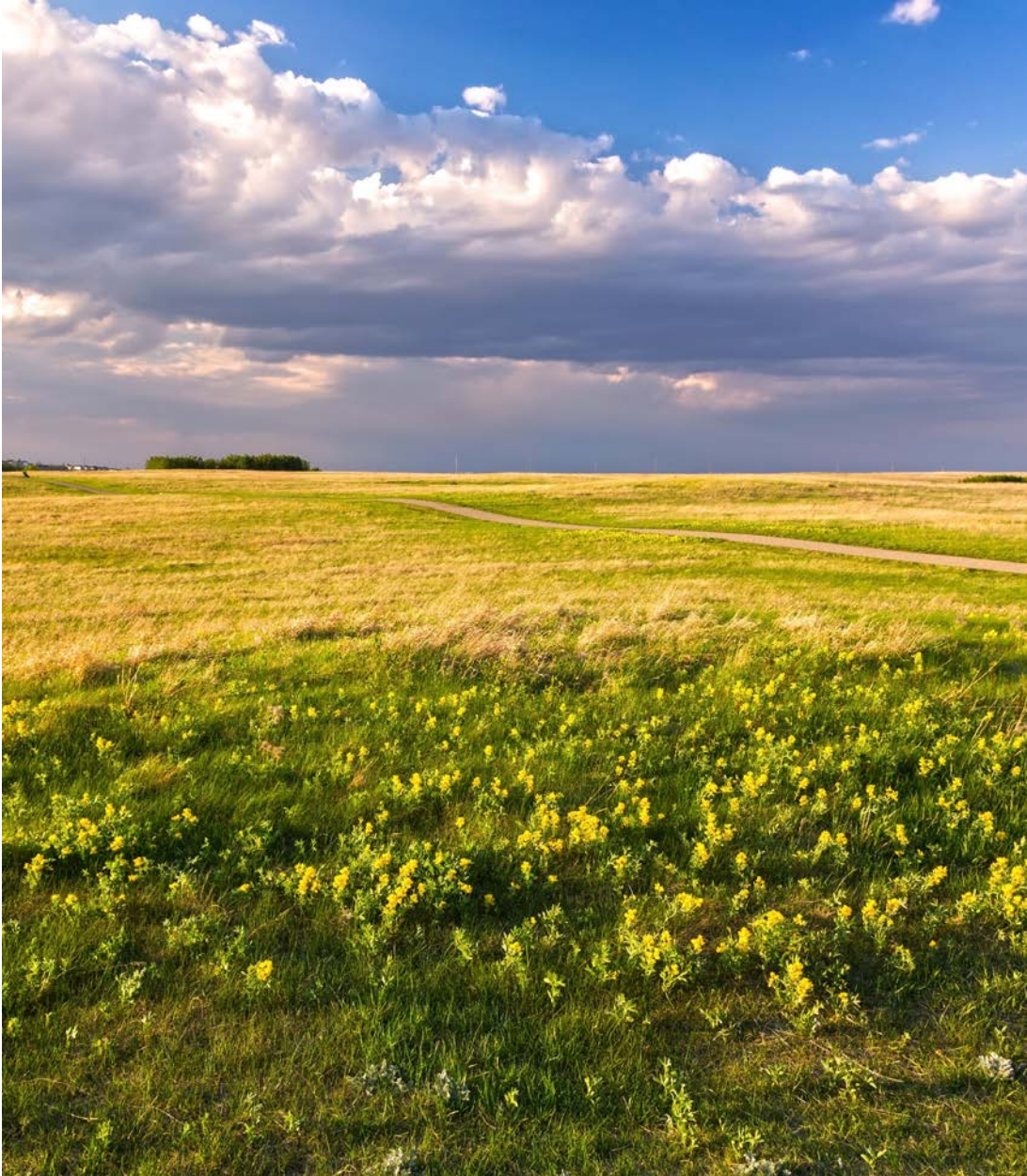




Decision

- **The AUC has three options in making a decision on the applications:**
 - approve
 - approve with conditions
 - deny
- The decision will be issued through the eFiling System and publicly available on the AUC website.





Register today

- Initial submissions of intent to participate deadline is **February 24, 2021**.
- Written evidence submission due **April 21, 2021**.
- [Sign up](#) for a Q&A session with AUC staff, which will be held at **6:30 p.m. on February 17, 2021**.
- If you require assistance with your submissions or have questions about the process please reach out to us at:
 - info@auc.ab.ca or 310-4282 or 403-592-4500.
 - Victor Choy: victor.choy@auc.ab.ca.