

November 13, 2019

Windy Point Wind Park Ltd.
Suite 1320, 396 11 Avenue S.W.
Calgary, Alta. T2R 0C5

Attention: Marc Stachiw
Director, Windy Point Wind Park Ltd.

**Windy Point Wind Park Amendment
Proceeding 23377
Applications 23377-A001 to 23377-A003**

Closure letter

1. The Windy Point Wind Park, a proposed 63-megawatt power plant in the Pincher Creek area (the project), was originally approved in 2012. A time extension to complete construction of the project was granted in 2013. In October 2014, a further time extension application was filed with the Commission as well as an application for the substation associated with the project.
2. In Approval U2014-434,¹ Windy Point Wind Park Ltd. received approval to extend the construction completion date of the Windy Point Wind Park.
3. Windy Point's associated application for approval to construct and operate a new substation in the Pincher Creek area, designated as Boulder Run 501S Substation, was filed as Application 1610942-1 and registered in Proceeding 3485.
4. On November 27 and December 3, 2014, the Alberta Electric System Operator and AltaLink Management Ltd. filed a needs identification document application and facility application for new transmission development to connect the Windy Point Wind Park to the Alberta Interconnected Electric System through the new Boulder Run 501S Substation. The applications were registered in Proceeding 3541.
5. Subsequently, prior to decisions being issued regarding the new substation and interconnection, Windy Point filed Application 21868-A001 for approval to further extend the construction completion date of the power plant from August 31, 2016 to September 30, 2018. This application was registered on July 29, 2016, in Proceeding 21868.
6. On August 18, 2016, the Commission granted Windy Point an interim extension² of Approval U2014-434 until a final decision could be made on the time extension application, pursuant to Subsection 8(5) of the *Alberta Utilities Commission Act*.

¹ Power Plant Approval U2014-434, Proceeding 3487, Application 1610948, November 12, 2014.

² Exhibit 23377-X0136.

7. The Commission issued six rounds of information requests to Windy Point, to clarify details of the time extension application. In response to information request 6, on April 20, 2017, Windy Point advised the Commission that it intended to file an amendment application for the Windy Point Wind Park.

8. On June 19, 2017, the Commission advised parties that it would hold Application 21868-A001 in abeyance until Windy Point filed its amendment application.

9. On March 2, 2018, Windy Point filed an application to amend the project. The amendment application was filed as Application 23377-A001 in Proceeding 23377.

10. At that time, the Commission combined Application 1610942-1 for the Boulder Run 501S Substation and Application 21868-A001 for the project time extension into Proceeding 23377 with the amendment application because they all pertained to components of a single project.

11. On February 25, 2019, the Alberta Utilities Commission issued information requests to Windy Point and requested that it file responses by March 11, 2019.

12. On March 11, 2019, Windy Point requested that the Commission grant an extension to file responses to information requests until April 15, 2019. The Commission granted the request and extended the deadline to respond to information requests to April 15, 2019.

13. No responses to the information requests were received.

14. On April 26, 2019, Windy Point requested that the Commission place the proceeding in abeyance until further notice. Windy Point indicated that several stakeholders had expressed concerns about the project and that as a result, it intended to review the project design. Windy Point submitted that it would periodically update the Commission and the public on changes to the project and would make any necessary amendments to its applications in due course.

15. On May 7, 2019, the Commission responded to the abeyance request and stated that:

3. The Commission appreciates Windy Point's efforts to resolve stakeholder concerns and does not consider that any party to the proceeding would be prejudiced by granting Windy Point's request, and therefore grants Windy Point's request to place Proceeding 23377 in abeyance.

4. The Commission nevertheless recognizes the importance of applications being processed in a timely and efficient manner. In this regard, the Commission granted Windy Point an interim time extension to its expired approval while it reviewed the applications in this proceeding. It does not consider allowing this interim extension to continue on an indefinite basis to be in the public interest and accordingly directs Windy Point to file an update on its progress no later than **October 31, 2019**. If the

Commission does not receive an update by that time or Windy Point has failed to make any progress by that point, the Commission will consider closing the applications.³

16. The Commission did not receive a response by October 31, 2019, as specified in its letter.

17. Meanwhile, on July 30, 2019, the needs identification document and facility applications for the interconnection of the project (filed by the Alberta Electric System Operator and AltaLink Management Ltd. in Proceeding 3541) were closed at the request of the Alberta Electric System Operator.

18. In accordance with Bulletin 2018-12, the Commission no longer processes applications that contain material deficiencies. Given the lack of responses, the length of time since the applications were filed, and the closure of the interconnection applications, the Commission considers it to be in the public interest to close the time extension, amendment and substation applications and rescind Windy Point's approval for the project.

19. Should Windy Point decide to pursue this project in the future, it may do so by filing a new application that meets the requirements of Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments*.

20. Approval U2014-434 is rescinded.

21. Please contact Trevor Richards at 403-592-4469 or by email at trevor.richards@auc.ab.ca if you have any questions or concerns.

Sincerely yours,

Anne Michaud
Vice-Chair

³ Exhibit 23377-X0191, AUC letter – Response to request to place Proceeding 23377 in abeyance, paragraphs 3 and 4.