

September 25, 2019

To: Parties currently registered on Proceeding 24573

**Elemental Energy Renewables Inc.
Brooks Solar II Power Plant
Proceeding 24573
Application 24573-A001**

Ruling on standing

1. The Alberta Utilities Commission issued a notice of application for Proceeding 24573 on June 27, 2019, and received statements of intent to participate from a number of parties. The Commission made determinations on standing for those parties in a ruling dated August 21, 2019. A notice of hearing was issued on September 9, 2019, and an oral hearing is scheduled to commence on October 16, 2019. The hearing will consider Elemental Energy Renewables Inc.'s application to construct and operate a 26.5-megawatt solar power plant in the Brooks area.
2. The Commission subsequently received a statement of intent to participate from Neil Johnson. In this ruling, the Commission decides whether to grant Mr. Johnson standing to participate in the oral hearing.
3. The Commission must allow persons who demonstrate that they have rights that may be directly and adversely affected by the Commission's decision in this proceeding an opportunity to participate in the hearing.¹ The Commission is, however, entitled to set and enforce deadlines for the filing of evidence in a proceeding.²
4. The Commission has authorized me to communicate its decision on standing.

Ruling

5. Mr. Johnson requested an opportunity to intervene in support of the application. He stated that he owns the land on which the project is proposed to be located. The Commission is satisfied that its decision on the application has the potential to result in a direct and adverse effect on his rights as owner of the land. For this reason, Mr. Johnson is granted standing to participate in the oral hearing.
6. The Commission notes that the deadline for filing intervener evidence was September 23, 2019. Mr. Johnson did not provide evidence by this date. The Commission will allow Mr. Johnson to participate in the hearing process but his evidence will be limited to addressing the information provided in his statement of intent to participate.

¹ *Alberta Utilities Commission Act*, Section 9.

² *Judd v. Alberta (Energy Resources Conservation Board)*, 2011 ABCA 159, paragraphs 27 and 28.

7. If you have any questions about our hearing process or the issues raised in this letter, please contact Conrad Dalsin at 403-592-3281 or by email at conrad.dalsin@auc.ab.ca.

Yours truly,

Conrad Dalsin, EIT
Facilities Division