



**Yellow Lake Solar GP Corp.**

**Yellow Lake Solar Project Amendment and Time Extension**

**October 1, 2019**

**Alberta Utilities Commission**

Decision 24650-D01-2019

Yellow Lake Solar GP Corp.

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Proceeding 24650

Application 24650-A001

October 1, 2019

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The Commission may, within 30 days of the date of this decision and without notice, correct typographical, spelling and calculation errors and other similar types of errors and post the corrected decision on its website.

## **1 Decision summary**

1. In this decision, the Alberta Utilities Commission considers whether to approve an application from Yellow Lake Solar GP Corp. for an amendment to the generation equipment, and a time extension to complete the construction, of a 19-megawatt solar power plant near the village of Burdett. After consideration of the record of the proceeding, and for the reasons outlined in this decision, the Commission finds that approval of the proposed amendment and time extension is in the public interest having regard to the social, economic, and other effects of the project, including its effect on the environment.

## **2 Introduction and background**

2. Yellow Lake Solar GP Corp. (Yellow Lake), pursuant to Approval 23365-D02-2018,<sup>1</sup> obtained approval to construct and operate a solar power plant designated as the Yellow Lake Solar Project near the village of Burdett on August 16, 2018. The approval states that the Yellow Lake Solar Project power plant shall consist of approximately 83,125 solar photovoltaic panels, with a total generating capability of 19 megawatts.

3. On June 17, 2019, Yellow Lake filed an application with the AUC for approval to amend Approval 23365-D02-2018 by altering the generation equipment and extending the time to complete construction of the power plant from July 31, 2020, to December 31, 2021. The application was registered as Application 24650-A001.

## **3 Discussion**

4. In the application, Yellow Lake explained that it wished to amend the approved, but not yet constructed, project. Yellow Lake seeks to amend the generation equipment by increasing the number of photovoltaic panels and revising the project layout as a result of the availability of more efficient solar panels and inverter-transformer equipment. It explained that the project nameplate capacity would remain unchanged from the originally proposed 19-megawatt facility.

5. Yellow Lake confirmed that final selection of the specific make and model of the solar photovoltaic panels and inverter/transformer units will occur at the end of the first quarter of 2020 and it will update the Commission once the selection has been made.

6. In an information response, Yellow Lake confirmed that no additional environmental or noise impacts would occur from the proposed changes to the generation equipment.

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<sup>1</sup> Power Plant Approval 23365-D02-2018, Proceeding 23365, Application 23365-A001, August 16, 2018.

7. Yellow Lake stated that, “per [Alberta Environment and Parks]’s direction ... the following additional studies were undertaken in 2017 and are scheduled to occur again in 2019 to remain current, as defined within the Wildlife Directive:

- sharp-tailed grouse surveys
- burrowing owl surveys
- raptor nests
- sensitive amphibians.”<sup>2</sup>

8. Yellow Lake stated that the change in technology does not affect any of the findings of the environmental evaluation and the project footprint would not change. No additional studies would be required, other than keeping the studies of sensitive species current.

9. Yellow Lake stated that BluEarth Renewables Inc.<sup>3</sup> completed the surveys listed in paragraph 7 in the spring/summer of 2017 and provided the findings of those surveys in a technical memorandum to Alberta Environment and Parks (AEP) in July 2017. AEP agreed that the pre-construction survey requirements for the project had been met, but that they must be kept current. Yellow Lake’s scheduled undertaking of the surveys listed above in paragraph 7, in 2019, will meet the condition of the current approval to complete pre-construction surveys for the project. No additional studies would be required for the equipment changes proposed in this amendment application.

10. In response to an information request, Yellow Lake submitted a solar glare hazard analysis report and shared the results of this report with the County of Forty Mile, Bow Island Airport, Alberta Transportation and residents within 800 metres of the project. Yellow Lake confirmed that no concerns were raised regarding solar glare.

11. In response to an information request, Yellow Lake confirmed that it conducted an updated participant involvement program, which involved identifying any new stakeholders in the area and notifying all stakeholders within 2,000 metres of the project of the new proposed construction completion date. Yellow Lake confirmed that no concerns regarding the proposed time extension for the project were raised during the participant involvement program.

12. In response to an information request, Yellow Lake confirmed that it will require a connection order to connect the Yellow Lake Solar Project power plant to the FortisAlberta Inc. 25-kilovolt distribution system. FortisAlberta submitted a non-objection letter stating that it is prepared to allow the interconnection of the facility pending final execution of an interconnection agreement. Yellow Lake submitted a map clarifying the location of the interconnection point and submitted a draft connection order.

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<sup>2</sup> Amended Facilities Application (AUC Rule 007) for the Proposed Yellow Lake Solar Project, Proceeding 24650, Exhibit 24650-X0001, PDF page 15.

<sup>3</sup> Yellow Lake Solar GP Corp. is wholly owned by BluEarth Renewables Inc.

## 4 Findings

13. The Commission has reviewed the application and has determined that the technical, siting, environmental and noise aspects of the power plant alteration have been met. Based on the information provided, Yellow Lake has demonstrated that the requested time extension is of a minor nature. Yellow Lake's participant involvement program has been conducted in accordance with the requirements set out in Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* and there are no outstanding public or industry objections or concerns.

14. Due to the minor nature of the application, a notice of application was not issued and a hearing was not held since the Commission considered that its decision or order would not directly and adversely affect the rights of a person pursuant to Section 9 of the *Alberta Utilities Commission Act*.

15. The Commission is satisfied that, based on Yellow Lake's updated notification and consultation program, potentially affected stakeholders were notified of the proposed changes to the project and the requested time extension and that no outstanding objections or concerns were identified.

16. Yellow Lake's final selection of the make and model of the equipment is expected to occur at the end of the first quarter of 2020. Because the final project equipment has not been selected, the Commission will require additional information specifying the detailed design of the project, once that is finalized. Further, the Commission will require confirmation that any changes to the chosen equipment design will not alter the project's compliance with any applicable Rule 007 or Rule 012: *Noise Control* requirements.

17. The Commission considers that the solar glare hazard analysis report is reasonable and is satisfied that no hazardous solar glare is expected to occur. It acknowledges, however, that there are currently no standards or regulations in place related to public safety associated with solar glare. To ensure that any glare associated with the project is addressed by Yellow Lake in a timely manner, the project's approval will be conditional on Yellow Lake filing a report detailing any complaints or concerns it receives, or is made aware of, regarding solar glare from the project during its first year of operation, as well as Yellow Lake's response. Yellow Lake shall file this report no later than 13 months after the project becomes operational.

18. Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants* came into force on July 1, 2019, and applies to all solar projects approved after September 1, 2019. Accordingly, Yellow Lake must comply with the requirements of Rule 033. Section 3(3) of Rule 033 requires approval holders to submit to AEP and the Commission annual post-construction monitoring survey reports. Yellow Lake shall submit an annual post-construction monitoring survey report to AEP and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Section 3(3) of Rule 033.

19. Based on the foregoing, the Commission considers the application to be in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*.

20. Having regard for the foregoing, the Commission approves the application to construct and operate the project subject to the following conditions:
- a. Once Yellow Lake has made its final selection of equipment for the project, it must file a letter with the Commission in which it identifies the make, model, and quantity of the equipment, and include an updated site plan if the equipment layout has changed. This letter must also confirm that the finalized design of the project will not increase the land, noise, or environmental impacts beyond those reflected in the materials submitted by Yellow Lake in its application and approved by the Commission. The letter is to be filed no later than 90 days before construction is scheduled to begin.
  - b. Yellow Lake shall file a report with the Commission detailing any complaints or concerns about solar glare that are brought to its attention during its first year of operation, as well as Yellow Lake's response. Yellow Lake shall file this report no later than 13 months after the project becomes operational.
  - c. Yellow Lake shall submit an annual post-construction monitoring survey report to AEP and the Commission within 13 months of the project becoming operational, and on or before the same date, every subsequent year for which AEP requires surveys pursuant to Section 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

## 5 Decision

21. Pursuant to sections 11, 18 and 19 of the *Hydro and Electric Energy Act*, the Commission approves the application and grants Yellow Lake Solar GP Corp. the following approval and order:

- Appendix 1 – Power Plant Approval 24650-D02-2019 – October 1, 2019.
- Appendix 2 – Connection Order 24650-D03-2019 – October 1, 2019.

22. The appendixes will be distributed separately.

Dated on October 1, 2019.

### Alberta Utilities Commission

*(original signed by)*

Joanne Phillips  
Commission Member

## **Appendix A – Summary of Commission directions and conditions requiring further submissions**

This section is intended to provide a summary of those directions and conditions that require follow-up with the Commission, for the convenience of readers. It is not intended to summarize all of the conditions imposed on the applicant. In the event of any difference between the directions and conditions in this section and those in the main body of the decision, the wording in the main body of the decision shall prevail. These directions and conditions will be tracked as conditions of Power Plant Approval 24650-D02-2019 using the AUC's eFiling System.

- Once Yellow Lake has made its final selection of equipment for the project, it must file a letter with the Commission in which it identifies the make, model, and quantity of the equipment, and include an updated site plan if the equipment layout has changed. This letter must also confirm that the finalized design of the project will not increase the land, noise, or environmental impacts beyond those reflected in the materials submitted by Yellow Lake in its application and approved by the Commission. The letter is to be filed no later than 90 days before construction is scheduled to begin.
- Yellow Lake shall file a report with the Commission detailing any complaints or concerns about solar glare that are brought to its attention during its first year of operation, as well as Yellow Lake's response. Yellow Lake shall file this report no later than 13 months after the project becomes operational.
- Yellow Lake shall submit an annual post-construction monitoring survey report to AEP and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Section 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.