

Understanding the *Green Energy and Green Economy Act* & Regulations

The Legal Platform and New Rules Impacting Green Power Developers

The key players will address the critical issues:

- Lessons learned from the initial rollout of the FIT Program
- How the OPA is working with transmitters and developers
- Partnering with municipalities, communities and Aboriginals re: generation and transmission
- Challenges faced by developers in developing projects under FIT
- How the *Green Energy and Green Economy Act* came together and what it means for stakeholders
- Potential privacy problems arising from the 'smart grid'
- Overview of the FIT rules and application procedures
- Strategies for success in today's green energy market
- Understanding the permitting process for renewable energy projects
- Streamlining of environmental approvals
- Industry issues with noise modeling and setback requirements

Keynote Speakers

Colin Andersen, CEO, Ontario Power Authority

The Honourable Howard I. Wetston, QC, Chair & Chief Executive Officer
Ontario Energy Board

Ken Anderson, Assistant Commissioner (Privacy), Information and Privacy
Commissioner/Ontario

Chair

George Vegh, Counsel, McCarthy Tétrault LLP



DATES & TIMES

April 7 - 8, 2010

9:00 a.m. - 4:00 p.m. EDT/EST

9:00 a.m. - 12:45 p.m. EDT/EST

LOCATION

Osgoode Professional
Development Centre
1 Dundas St. W., 26th Floor
Toronto, ON

Webcast
Available

Endorsed by



Ontario Energy
Association



Understanding the *Green Energy and Green Economy Act* & Regulations

The Legal Platform and New Rules Impacting Green Power Developers

The *Green Energy and Green Economy Act* will create a new paradigm for renewable energy...

In September 2009, the regulations governing renewable energy approvals under the *Green Energy and Green Economy Act* (the *Act*) came into effect. These rules will reshape the energy landscape in Ontario and have the potential to transform the province into a world leader in renewable generation. They will also create tremendous investment opportunities for power generators, transmitters and local distribution companies.

To help energy industry players and their legal advisors understand the key provisions of, and opportunities arising from the *Act* and the regulations, *Osgoode Professional Development* has developed this comprehensive program with the key regulatory and industry players. It will provide not only an analysis of the key features of the regulations but also the business and legal implications that you need to consider to steer your client's renewable energy project through to successful completion under the new rules. Topics include:

- Understanding the new regulatory framework
- Key issues which need to be addressed to move projects forward
- The new mandate and objectives of the Ontario Energy Board
- The evolving role of the Ontario Power Authority in emerging issues such as the 'smart grid', carbon mitigation and bio-energy
- Generation procurements through standard offer, competitive or bilateral commitments
- How the collection, use and disclosure of personal information on the 'smart grid' can lead to privacy concerns
- Changes to Ontario's environmental and municipal approval process
- New exemptions for renewable energy projects under the *Environmental Protection Act*
- Opportunities for First Nations re: generation and transmission of renewable energy
- Creation of renewable energy cooperatives

Register now by visiting www.osgoodepd.ca, calling 416.597.9724 or 1.888.923.3394, emailing opd-registration@osgoode.yorku.ca or faxing 416.597.9736.

Chair

George Vegh, Counsel, McCarthy Tétrault LLP

Faculty

Mary Anne Aldred, General Counsel, Ontario Energy Board

Kristyn Annis, Associate, McCarthy Tétrault LLP

Ken Anderson, Assistant Commissioner (Privacy) Information and Privacy Commissioner/Ontario

Colin Andersen, Chief Executive Officer Ontario Power Authority

David Brochu, President and CEO, UPC Solar Recurrent Energy (Chicago)

Jason Chee-Aloy, Director, Generation Development Ontario Power Authority

Anthony D. Ciccone, Ph.D., P.Eng, Principal Golder Associates Ltd.

Peter Fraser, Manager, Wholesale Power Policy Regulatory Policy Development, Ontario Energy Board

Joe Gaboury, CEO, Five Nations Energy Inc.

Nicole Geneau, Project Manager NextEra Energy Canada ULC

Michael Lyle, General Counsel and Vice President, Legal Aboriginal and Regulatory Affairs, Ontario Power Authority

Jonathan Norman, Director, Transmission and Distribution Policy, Ministry of Energy and Infrastructure

Joanna Rosengarten, Associate, McCarthy Tétrault LLP

Pankaj Sardana, Vice President, Treasurer & Regulatory Affairs, Toronto Hydro Electric System

William Sutherland, Senior Managing Director - Project Finance, Manulife Financial Corporation

Chris Tyrrell, V.P. & Chief Conservation Officer Toronto Hydro Electric System

Marcia Wallace, Manager, Program Development Ministry of the Environment

The Honourable Howard I. Wetston, QC Chair & Chief Executive Officer, Ontario Energy Board

Michael Weizman, Partner, McCarthy Tétrault LLP

Agenda

Day One: Wednesday, April 7, 2010

8:30 Registration and Continental Breakfast

9:00 Welcome and Introduction from the Chair

George Vegh, Counsel, McCarthy Tétrault LLP

9:15 New Roles and Responsibilities of the Ontario Power Authority: FIT – IPSP Update

Colin Andersen, Chief Executive Officer
Ontario Power Authority

The Ontario Power Authority (OPA) has been given a central role in implementing the goals of the *Green Energy and Green Economy Act* (the *Act*). Colin Andersen, the OPA's President and Chief Executive Officer, will discuss progress to date on:

- Feed-in Tariff take up and prospects
- How the OPA is working with transmitters and distributors on system expansions and conservation
- The role of the Integrated System Plan

9:45 Ontario Energy Board: Status Update

The Honourable Howard I. Wetston, QC,
Chair & Chief Executive Officer, Ontario Energy Board

This session will help you understand the new role and responsibilities of the OEB, including:

- Major challenges and opportunities for the OEB in light of its new responsibilities
- How does the new *Green Energy Act* and Regulations require the OEB to address environmental and social issues?
- What is the role of the OEB in reviewing infrastructure expansion?

10:15 Refreshment Break

10:30 From Promise to Delivery: How the *Green Energy and Green Economy Act* Came Together and What it Means for Stakeholders

Jason Chee-Aloy, Director, Generation Development
Ontario Power Authority

Jonathan Norman, Director, Transmission and Distribution Policy, Ministry of Energy and Infrastructure

Peter Fraser, Manager, Wholesale Power Policy
Regulatory Policy Development, Ontario Energy Board

This panel features the leaders of the working groups who were tasked with the responsibility to develop and implement the *Act*. They will discuss the challenges and successes of the joint effort.

12:00 Luncheon

1:00 Electricity Reform and Protection of Consumer Privacy

Ken Anderson, Assistant Commissioner (Privacy)
Information and Privacy Commissioner/Ontario

The goals of the *Green Energy and Green Economy Act* are to create an environment conducive to the development of renewable energy projects and create a culture of conservation so that people can go about their lives using less energy.

To assist in conservation, the *Act* also introduces the concept of the 'smart grid'. The infrastructure that will be used to support the 'smart grid' includes smart meters that will be installed in all Ontario homes and small businesses by the end of 2010.

These meters will create a bi-directional flow of information that will tell consumers how, when and how much electricity they use.

This new consumer information monitoring raises significant privacy concerns including personal habits and lifestyles of individuals.

This session will help you understand the potential privacy problems identified by the Information and Privacy Commissioner of Ontario and the controls that should be implemented by utility market players to protect consumer information in this evolving market.

Note: Ample time will be provided for questions from the delegates.

1:45 Refreshment Break

2:00 Performance: How the Rules and Approvals Work in the Market

Moderator and Speaker

Kristyn Annis, Associate, McCarthy Tétrault LLP

Panellists

David Brochu, President and CEO, UPC Solar
Recurrent Energy (Chicago)

Nicole Geneau, Project Manager, NextEra Energy Canada ULC

Joe Gaboury, CEO, Five Nations Energy Inc.

This panel of key industry players will discuss their successes and challenges in applying for approvals for renewable energy projects including a comparison to experiences in other jurisdictions and partnering with stakeholders to gain social acceptability.

4:45 Closing Comments: Day One Adjourns

Day Two: Thursday, April 8, 2010

8:30 Registration and Continental Breakfast

9:00 Recap and Introduction from the Chair

George Vegh, Counsel, McCarthy Tétrault LLP

9:15 Understanding Feed-in Tariff (FIT) Contracts

Michael Weizman, Partner, McCarthy Tétrault LLP

William Sutherland, Senior Managing Director – Project Finance, Manulife Financial Corporation

Ontario Power Authority is in the process of implementing Ontario's new Feed-in Tariff (FIT) Program. FIT is the cornerstone of Ontario's renewable energy plan and is North America's first comprehensive guaranteed pricing structure for renewable electricity production.

This session will provide an overview of the FIT rules, application procedures and lessons learned in the first round of applications.

- FIT Rules and applications
- Domestic content requirements
- Project finance implications
- Price Schedules
- Transmission development
- Connection costs
- Curtailment risk and compensation

10:30 Refreshment Break

Agenda [Cont'd]

10:45 OEB Approvals & Strategies for Success

George Vegh, Counsel, McCarthy Tétrault LLP

Mary Anne Aldred, General Counsel, Ontario Energy Board

Pankaj Sardana, Vice President, Treasurer & Regulatory Affairs, Toronto Hydro Electric System

Michael Lyle, General Counsel and Vice President, Legal Aboriginal and Regulatory Affairs, Ontario Power Authority

Chris Tyrrell, V.P. & Chief Conservation Officer
Toronto Hydro Electric System

The *Green Energy and Green Economy Act* has not only committed Ontario to significantly increase the proportion of clean and renewable energy, it has also imposed a new mandate and new duties on the OEB, including deadlines for completing assessments from generators to distributors and transmitters for connections to the distribution and transmission systems. Understanding these commitments and new approval processes is critical in today's rapidly evolving electricity generation market. This panel will help you understand the new challenges and hurdles and help you avoid the costly risk of stalled projects.

11:45 Environmental Assessments and Approvals

Joanna Rosengarten, Associate, McCarthy Tétrault LLP

Marcia Wallace, Manager, Program Development
Ministry of the Environment

Anthony D. Ciccone, Ph.D., P.Eng, Principal, Golder Associates Ltd.

- Permitting process for renewable energy projects
 - how does the process differ today vs. prior to new legislation?
- Is the process working?
- Overview of Renewable Energy Permit Guide
 - applications and type of information required
- Industry issues with noise modeling and setback requirements

12:45 Program Concludes

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Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less \$50 administration fee) is available if a cancellation request is received in writing 14 days prior to the program date. No other refund is available.

Dates & Times

April 7 - 8, 2010

Day One: 9:00 a.m. - 4:00 p.m. EDT/EST

Day Two: 9:00 a.m. - 12:45 p.m. EDT/EST

Please arrive a half hour early for sign-in and material pick-up.

Dress is business casual.

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