

# Feedback Form

## Long-Term 2 RFP – May 21, 2025

### Feedback Provided by:

Name: Stephen Somerville

Title: Vice President, Regulatory & Stakeholder Relations, Canada

Organization: FirstLight Energy

Email: [REDACTED]

Date: May 28, 2025

To promote transparency, feedback submitted will be posted on the LT2 RFP engagement page unless otherwise requested by the sender.

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**Yes – there is confidential information, do not post**

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**No – comfortable to publish to the IESO web page**

Following the LT2 RFP May 21, 2025, engagement webinar, the Independent Electricity System Operator (IESO) is seeking feedback from stakeholders on the items discussed. The presentation and recording can be accessed from the LT2 [engagement web page](#).

**Note:** The IESO will accept additional materials where it may be required to support your rationale provided below. When sending additional materials please indicate if they are confidential.

**Please submit feedback to [engagement@ieso.ca](mailto:engagement@ieso.ca) by May 29, 2025.**

## Post-Proposal Applicable Tariffs

Do you have any comments related to the approach to mitigating the risk of Post-Proposal Applicable Tariffs presented during the webinar?

## Gas Turbine Delivery Delay Provisions

Do you have any comments related to the approach to handling potential delays in the delivery of gas turbines presented during the webinar?

## Crown Land Site Report and MNR Confirmation Letter

Do you have any comments related to the CLSR and MNR Confirmation Letter requirements presented during the webinar?

## LT2 RFP Deliverability Update

Do you have any comments regarding the deliverability guidance updates presented during the webinar?

## General Comments/Feedback

FirstLight's comments and feedback are aimed at clarifications on "Canadian companies" in Bill 5 and more specifically participation from US-based companies in upcoming IESO led generation procurements. During the May 21, 2025, webinar, the IESO verbally shared that it will be developing a mechanism to incentivize and define "Canadian Companies" in the LT2 Window 1 RFP. This replaces the possibility and ends speculation of a ban on US company participation in the RFP. We understand that further details are expected to follow in advance of posting the final procurement documents.

FirstLight understands the IESO is currently developing a mechanism that would incentivize Canadian companies for future generation procurements. The IESO is in the process of drafting a "Canadian Company" definition with new incentive-based criteria.

FirstLight's suggestion is that the test for being a "Canadian Company" include a Control test whereby if the project entity is ultimately Controlled by a legal entity formed and existing under the laws of Canada then it is automatically deemed a Canadian Company. The definition of "Controlled" should follow the classic definition of Control set out in Section 1(5) of the Business Corporations Act of Ontario ([RSO 1990, c B.16](#) | [Business Corporations Act](#) | [CanLII](#)) as follows:

### **Control**

(5) For the purposes of this Act, a body corporate shall be deemed to be controlled by another person or by two or more bodies corporate if, but only if,

- (a) voting securities of the first-mentioned body corporate carrying more than 50 per cent of the votes for the election of directors are held, other than by way of security only, by or for the benefit of such other person or by or for the benefit of such other bodies corporate; and
- (b) the votes carried by such securities are sufficient, if exercised, to elect a majority of the board of directors of the first-mentioned body corporate. R.S.O. 1990, c. B.16, s. 1 (5).