



Independent  
Electricity  
Market Operator

## Exemption Application

Exemption ID #: 1303

Date Received: February 27/04

Submit this form by e-mail to: [exemptions@theimo.com](mailto:exemptions@theimo.com)

**Subject: *Exemption Application***

All information submitted in this process will be used by the *IMO* solely in support of its obligations under the *Electricity Act, 1998*, the *Ontario Energy Board Act, 1998*, the *market rules* and associated policies, standards and procedures and its licence. All submitted information will be assigned the appropriate confidentiality level upon receipt.

Terms and acronyms used in this Form that are italicized have the meanings ascribed thereto in Chapter 11 of the *market rules*.

### PART 1 – EXEMPTION APPLICANT - GENERAL INFORMATION

Organization Name: <u>Brighton Beach Power Limited</u>	
Market Participant/Metering Service Provider No. (if applicable): _____	IMO Help Centre (IHC) Ticket No. (if applicable): _____
Date: <u>January 28, 2004</u>	
Address: <u>100 Chappus Street</u>	
City/Town: <u>Windsor</u>	Province/State: <u>Ontario</u>
Postal/Zip Code: <u>N9C-4J3</u>	Country: <u>Canada</u>
Fax No.: <u>519-967-2623</u>	
Email Address: <u>Wayne.Christianson@BrightonBeachPower.com</u>	
<b>Main Contact</b>	
Name: <u>Wayne Christianson</u>	
Telephone No.: <u>519-967-2659</u>	Fax No.: <u>519-967-2623</u>
E-mail Address: <u>Wayne.Christianson@BrightonBeachPower.com</u>	
Web Site (URL): _____	

**PART 1 – EXEMPTION APPLICANT - GENERAL INFORMATION**

**Alternative Contact**

Name: Roger Berube

Telephone No.: 416-767-7704

Fax No.: 416-767-3273

E-mail Address: roger@kestrelpower.com

**PART 2 – INFORMATION ABOUT THE EXEMPTION APPLICATION**

1. Is this *exemption application* being submitted for existing *facilities* or equipment prior to *market commencement date* pursuant to Section 1.5.1 of the *Exemption Application and Assessment Procedure*?

Yes

No

2. Please specify the duration for which you would like the *exemption* granted in days, months or years:

35 years

Please cite the *Market Rules* section number(s) to which this *Exemption Application* relates:

Please cite policy, standard or procedure to which this *Exemption Application* relates (including section number(s)):

Chapter 4 Appendix 4.2 Ref 16

**PART 3 – REQUEST FOR AN INTERLOCUTORY INTERIM EXEMPTION**

<input checked="" type="checkbox"/>	The <i>exemption applicant</i> does <u>not</u> request an interim <i>exemption</i> pursuant to Section 1.6.2 of the <i>Exemption Application</i> and Assessment Procedure.
<i>OR</i>	
<input type="checkbox"/>	The <i>exemption applicant</i> requests an interim <i>exemption</i> pursuant to Section 1.6.2 of the <i>Exemption Application</i> and Assessment Procedure staying the <i>exemption applicant's</i> obligation to comply with the following <i>Market Rules</i> Section Number(s) pending the Panel's final decision.
_____	_____
_____	_____
_____	_____
_____	_____

The *IMO* recommends that the exemption applicant contact the *IMO's* Market Assessment and Compliance Division regarding the compliance and enforcement measures the *IMO* intends to take pending the hearing of the *exemption* as in some cases it may not be necessary for the *exemption applicant* to seek an interim *exemption*.

**PART 4 – SUBMISSIONS IN SUPPORT OF EXEMPTION APPLICATION**

<p><b>Attach an <i>exemption applicant's</i> plan detailing:</b></p> <ul style="list-style-type: none"><li>• The manner and time within which the <i>exemption applicant</i> will become compliant;</li><li>• The manner in which the <i>exemption applicant</i> proposes to modify its equipment or <i>facilities</i> or otherwise conduct its operations during the period of time for which the <i>exemption</i> would be in effect; and</li><li>• The <i>exemption applicant's</i> estimate of any costs that may be imposed on the <i>IMO</i> or on other <i>Market Participants</i>, if the <i>exemption</i> were granted.</li></ul>
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## PART 4 – SUBMISSIONS IN SUPPORT OF EXEMPTION APPLICATION

**The following submissions must be included, either below or as attachments:**

- a) For *exemption applications* submitted prior to market opening for *facilities/equipment* in operation before or on April 17, 2000 and relating to the technical requirements of *Market Rules* contained in Appendix 2.2 (other than those for participant workstations or *dispatch workstations*), Chapter 4 (other than Sections 6.1.5 to 6.1.21), or the technical requirements set forth in Section 12 of Chapter 5:
- The *exemption applicant's* assessment as to whether or not the *exemption*, if granted would materially:
    - Impact the ability of the *IMO* to direct the operations and maintain the *reliability* of the *IMO-controlled grid*;
    - Affect the ability of the *IMO* to operate the *IMO-administered markets* in an efficient, competitive and reliable manner.
  - The *exemption applicant's* assessment of whether the cost or delay to the *exemption applicant* of complying with the obligation or standard to which the *exemption application* relates is reasonable, having regard to the nature of the obligation or standard, the nature of the *exemption application* and the anticipated impact of non-compliance by the *exemption applicant* in terms of the elements referred to above.
- b) Additionally, for all other *exemption applications*:
- The *exemption applicant's* assessment as to whether or not the *exemption*, if granted would materially:
    - Impact the ability of the *IMO* to ensure non-discriminatory access to the *IMO-controlled grid*;
    - Increase costs of *market participants*; or
    - Increase costs of the *IMO*;
  - An assessment of whether the *exemption* would, if granted, give the *exemption applicant* an undue preference in the *IMO-administered markets*;
  - Where the *exemption applicant* is the *IMO*, identification of the benefit to *Market Participants* of compliance with the obligation or standard to which the *exemption application* relates relative to the financial and other resources required to achieve compliance within such deadlines as may be applicable;
  - Where the *exemption applicant* is the *IMO*, the manner in which it proposes to operate the *IMO-administered markets* or direct the operations and maintain the *reliability* of the *IMO-controlled grid* during the period in which the *exemption* would be in effect;
  - Identification as to whether the *facility* or equipment that is the subject-matter of the *exemption application*:
    - Was in service or was returned to service on the date on which the obligation or standard to which the *exemption application* relates came into force;
    - Was ordered by the *exemption applicant* on or prior to the date on which the obligation or standard to which the *exemption application* relates came into force; or
    - Was in the process of construction on or prior to the date on which the obligation or standard to which the *exemption application* relates came into force, and;

**PART 4 – SUBMISSIONS IN SUPPORT OF EXEMPTION APPLICATION**

- An assessment of the capability of the owner of the *facility* to operate the *facility* consistent with the terms of the proposed *exemption*.
- c) Additionally, for *exemption applications* requesting an interlocutory *interim exemption* pursuant to Section 1.6.2 of the *Exemption Application* and Assessment Procedure:
- The *exemption applicant's* reasons for requesting an *interim exemption*, including the *exemption applicant's* assessment regarding:
    - The type and degree of harm the *exemption applicant* will suffer if the *interim exemption* is not granted; and
    - how the *interim exemption* would impact the public interest.

**PART 5 – SUPPORTING DOCUMENTATION TO BE ATTACHED BY EXEMPTION APPLICANT**

- Please list below all supporting documents attached to this *exemption application*.
1. *Exemption Applicant's* Plan (must be attached)
  2. Exemption Applicant's Assessment of the exemptions impact
  - 3.
  - 4.
  - 5.

**PART 6 – CERTIFICATION**

The *exemption applicant* hereby declares that the information contained in and submitted in support of this document is, to the best of the *exemption applicant's* knowledge, complete and accurate.

<u>George Opocensky</u>	<u>Station Manager</u>
Name	Title

**PART 7 – CONFIDENTIALITY**

The *exemption applicant* agrees that information on this application may be posted in its entirety on the IMO Web site in accordance with the provisions of the *Exemption Application* and Assessment Procedure

OR

The *exemption applicant* claims confidentiality over parts of the *Exemption Application* in accordance with Section 1.6.4 of the *Exemption Application* and Assessment Procedure. Parts of this *Exemption Application* over which confidentiality is claimed are highlighted. The balance of the information on this *exemption application* may be posted on the IMO Web site.

George Opocensky \_\_\_\_\_

Station Manager \_\_\_\_\_

Name

Title