

ENERGY REGULATORY REPORT

Regulatory Law Chambers ("RLC") is a Calgary based boutique law firm, specializing in energy and utility regulated matters. RLC works at understanding clients' business objectives and develops legal and business strategies with clients, consistent with the legislative scheme and public interest requirements. RLC follows a team approach, including when working with our clients and industry experts. Visit our website to learn more about RLC.

ALBERTA UTILITIES COMMISSION

Aura Power Renewables Ltd. Peace Butte Solar Farm and Battery Storage Project, AUC Decision 28259-D01-2024

Facilities - Solar

<u>Application</u>

Aura Power Renewable Ltd. ("Aura Power") applied for approval to construct and operate the 230-megawatt ("MW") Peace Butte Solar Farm and Battery Storage Project (the "Project"), located in Cypress County. The Project consisted of a 230-MW solar power plant, a battery energy storage system ("BESS") with a storage capacity of up to 75 MW/270 megawatt-hour ("MWh") and the associated Black and White 1136S Substation (the "Substation").

Decision

The AUC approved the application, subject to conditions.

Pertinent Issues

The Project, which included 521,000 bifacial photovoltaic modules on a single axis tracking system, 72 inverters and underground collector lines, will be constructed on 820 acres of private land. The land at the site is classified as Class 3 and below agricultural land.

In this proceeding, Aura Power responded to the information requirements established by *Bulletin*

2023-05: Interim Rule 007 Information Requirements.

The application from Aura Power was subject to the approvals pause mandated by the *Generation Approvals Pause Regulation*, which regulation expired. The AUC determined that no further process was required in this proceeding.

The AUC determined that approval of this application was in the public interest having regard to the social, economic and other effects of the project, including its effect on the environment.

The AUC found that the information submitted by Aura Power and stakeholder consultation met the requirements set out in Rule 007: Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations, Hydro Developments and Gas Utility Pipelines the Alberta Utilities Commission Act ("Rule 007"), the Hydro and Electric Energy Act ("HEEA") and the Rule 007 interim information requirements.

The AUC accepted that the Project presents an overall low risk to wildlife and wildlife habitat since it is entirely sited on private cultivated lands that are not irrigated, which has a reduced impact on the environment due to the disturbed nature of the land use. The AUC was satisfied that, with diligent implementation of the mitigation measures and the commitments made by Aura Power in this proceeding, the identified environmental effects of the Project can be mitigated to an acceptable degree.



The AUC found that the noise impact assessment ("NIA") for the Project met *Rule 012: Noise Control* ("*Rule 012*") requirements and accepted that noise from the Project will comply with this rule.

The AUC imposed conditions of approval for the Project in relation to post-construction monitoring, solar glare, the battery technology for the energy storage system, the emergency response plan, and the final equipment selection.

AUC re Aura Power Solar Project

The AUC accepted that Aura Power's approach to reclamation was sufficient to satisfy the AUC that approval of the Project was in the public interest. The AUC expressed an expectation that applicants will fully reclaim projects and bear the costs, including Aura Power.

The AUC expressed an understanding that Aura Power will be responsible for posting security following the updated reclamation security regime, given that the Project was approved after March 1, 2024, which is in accordance with the government's policy guidance related to reclamation security provided to the AUC on February 28, 2024.