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## **ALBERTA UTILITIES COMMISSION**

### ***WR2 Wind GP Corp. and Wild Rose 2 Wind Inc. Wild Rose 2 Wind Power Project Amendment, AUC Decision 27729-D01-2024***

*Facilities – Environmental*

#### Application

WR2 Wind GP Corp. and Wild Rose 2 Wind Inc. (collectively, “WR2”) filed an application with the Alberta Utilities Commission (“AUC”) for approval to amend the Wild Rose 2 Wind Power Project (the “Project”). Approval 27412-D02-2022 (“Approval”) provided WR2 with the authority to construct and operate the Project.

#### Decision

The AUC approved the application in part, subject to conditions. The AUC denied the approval of two specific turbines, T10 and T11, because of their visual impacts.

#### Pertinent Issues

WR2 filed its application as an amendment application, and the AUC adopted this characterization at the outset of the proceeding. The AUC noted that the scope of amendment applications does not involve a reopening of consideration of the Project as a whole or an opportunity to re-litigate issues already decided. However, the AUC stressed that an amendment proceeding is ordinarily premised on the understanding that the applicant is free to build

the previously approved project, even if the proposed amendments are denied.

In this case, WR2 acknowledged that it cannot practically build the Project under the terms of the Approval, which also had a lapsed construction completion date, due to advances in wind turbine technology and the unavailability of the previously approved equipment. Accordingly, the AUC held that the amendments to the Approval are required for WR2 to act on the Approval.

WR2 did not request an extension of the lapsed construction completion date in the Approval as a separate relief in addition to the requested amendments. The AUC found that WR2 was not in compliance with the construction completion deadline in the Approval but decided to exercise its discretion to approve in this proceeding a time extension of the construction completion date to December 31, 2025.

According to the AUC, overall, the amendment application showed a general reduction in environmental impacts from the initially approved Project. The AUC found that WR2 showed reasonable efforts to reduce the environmental impacts of the Project as it relates to environmental considerations, other than bats and pronghorn, and that these impacts were acceptable.

With regard to bats, the AUC determined that the trends of declining bat populations were very concerning and that mitigations at wind projects,

including the Project, offer a means of addressing these trends. Based on these findings, the AUC imposed a number of conditions relating to bats.

With regard to pronghorn, the AUC found that, while the Project's potential impact on pronghorn was not an issue in the original approval issued 13 years ago, new scientific evidence subsequently emerged that required the risks to pronghorn populations to be addressed. The AUC imposed a condition of approval requiring WR2 to abide by any requirements, recommendations and directions provided by Alberta Environment and Protected Areas, including any additional monitoring and mitigation necessary to address adverse impacts to pronghorn migration patterns in the Project area.

The AUC also assessed the visual impact of the Project on the stakeholders in the area. The AUC noted that visual impacts are ultimately subjective in nature, acknowledging that the turbines in this amended project will be taller but also noting that the number of turbines has decreased compared to the initial approval. In general, the AUC found that the applied-for turbines and proposed turbine placement would result in the project having an overall similar visual impact on area residents compared to the original layout, with one exception.

The AUC found that proposed turbines T10 and T11 were too close to a local church from a visual impact, community, and spiritual use perspective. The AUC was persuaded that it was likely that the proximity of these turbines would negatively impact the congregation's enjoyment of the church and its ability to meet the spiritual and mental balance needs of the community. The AUC concluded that this visual impact could not be mitigated to an acceptable degree and that it was in the public interest to deny the approval of turbines T10 and T11.

The AUC found that the negative impacts associated with the Project were outweighed by the conditions and required mitigations, including the expected benefits of the Project. The AUC concluded that the application, as conditioned in this decision, was in the public interest and compliant with existing regulatory standards, including the information requirements prescribed in *Rule 007: Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations, Hydro Developments and Gas Utility Pipelines*. The AUC approved the application subject to conditions and denied approval of turbines T10 and T11.