



EB-2007-0707

IN THE MATTER OF sections 25.30 and 25.31 of the
Electricity Act, 1998;

AND IN THE MATTER OF an application by the
Ontario Power Authority for review and approval of
the Integrated Power System Plan and proposed
procurement processes;

AND IN THE MATTER OF a Motion brought by the
Canadian Solar Industries Association seeking an
extension to the date by which it would be required to
file its evidence in this proceeding.

BEFORE: Pamela Nowina
Presiding Member and Vice-Chair

Ken Quesnelle
Member

David Balsillie
Member

**DECISION AND ORDER ON A MOTION BROUGHT BY
THE CANADIAN SOLAR INDUSTRIES ASSOCIATION**

On July 23, 2008, the Canadian Solar Industries Association (“CanSIA”) filed a motion seeking an extension to the date by which it would be required to file its evidence in this proceeding. The motion sought an order granting it permission to file its evidence in two parts: a preliminary report by August 1, 2008, and a supplementary report by August 18, 2008. It is the Board’s understanding that this supplementary report would be a more detailed version of the preliminary report, and would therefore effectively replace the preliminary report on the record. The motion further requested that the deadline for parties that wished to file interrogatories on the CanSIA evidence be granted an extension to August 29, 2008.

An affidavit supporting the motion explained that there are few Canadian based experts that have the requisite expertise regarding the solar industry to assist the Board. As a result, CanSIA conducted an international search for such an expert, which caused significant delay. CanSIA has now retained Dr. Christine Wörlén, Head of the Renewable Energies Division of the German Energy Agency, to review the IPSP and to provide expert commentary on the solar related elements of the plan. However, given the late date at which she was retained, Dr. Wörlén has advised CanSIA that she cannot produce a final report by the August 1 deadline. CanSIA has therefore proposed a phased filing of evidence as described above.

On July 25, 2008, the applicant Ontario Power Authority (“OPA”) wrote to the Board regarding the CanSIA motion. The OPA indicated that the Board’s practice in this proceeding has been to maintain the stated timelines unless exceptional circumstances can be demonstrated. The OPA notes, however, that CanSIA has arguably shown that there are exceptional circumstances in this case; namely the need to retain a foreign expert, the genuine effort of CanSIA to file as much evidence as it could by August 1, and that the delay appears to be manageable within the context of the overall schedule as no other parties have requested an extension to the proceeding. The OPA therefore does not oppose the motion.

As the Board has indicated previously in this proceeding, maintaining the schedule is important. However, given the particular circumstances which have given rise to CanSIA’s motion, the Board will grant the requested relief.

THE BOARD THEREFORE ORDERS AS FOLLOWS:

- 1) CanSIA will file with the Board and serve on all parties a preliminary report on or before August 1, 2008.
- 2) CanSIA will file with the Board and serve on all parties its supplementary report on or before August 18, 2008.
- 3) Any party (intervenor, Board staff or the OPA) who requires additional information related to CanSIA's supplementary report, which is relevant to this proceeding, shall request it by written interrogatories filed with the Board and delivered to CanSIA and all other parties on or before August 29, 2008.
- 4) Responses to the interrogatories relating to CanSIA's supplemental report shall be filed with the Board and delivered to the OPA by September 8, 2008.
- 5) Except as provided above with respect to CanSIA's supplementary report, the deadlines directed by the Board in its Procedural Order No. 6 shall remain in effect.

DATED at Toronto, July 28, 2008.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary