



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**
Prince Edward Island
Île-du-Prince-Édouard
CANADA

Docket UE20723
Order UE16-02

IN THE MATTER of an
application by Maritime Electric Company,
Limited for approval of expenditures to be made
over a four year period (2015 to 2018) for the
design, construction and commissioning of a
combustion turbine generator with a nominal
rating of 50MW to be located at the
Charlottetown Plant Site;

BEFORE THE
COMMISSION

on Friday, the 29th day of January, 2016.

J. Scott MacKenzie Q.C., Chair
Douglas Clow, CPA, CA, Vice-Chair
John Broderick, Commissioner
Michael Campbell, Commissioner

Order

Compared and Certified a True Copy

(Sgd) *Mark Lanigan*

Director, Corporate Services

IN THE MATTER of an application by Maritime Electric Company, Limited for approval of expenditures to be made over a four year period (2015 to 2018) for the design, construction and commissioning of a combustion turbine generator with a nominal rating of 50MW to be located at the Charlottetown Plant Site;

Order

Whereas on or about June 24, 2015, Maritime Electric Company, Limited ("Maritime Electric") filed an application with the Island Regulatory and Appeals Commission (the "Commission") requesting the approval of expenditures to design, construct and commission a 50 MW combustion turbine generator (Commission Docket UE#20723) ("CT4 Application");

And Whereas on or about January 29, 2016, Maritime Electric filed with the Commission a letter and supporting document as evidence that Maritime Electric is confident it has the ability to procure access to 50 MW of firm capacity;

And Whereas Maritime Electric now seeks to withdraw its CT4 Application in Commission Docket UE#20723;

NOW THEREFORE, pursuant to the Electric Power Act, R.S.P.E.I. 1988, Cap. E-4, and to the Island Regulatory and Appeals Commission Act, R.S.P.E.I. 1988, Cap. I-11,

IT IS ORDERED THAT

1. The Commission hereby accepts the withdrawal of the CT4 Application effective as of January 29, 2016;
2. Maritime Electric shall immediately and without delay file with the Commission any agreement, or the particulars of any arrangement made, with any third party to acquire firm capacity sufficient to fulfil its obligations under the Electric Power Act; and
3. In the event no such agreement or arrangement is made prior to January 31, 2017, Maritime Electric shall file a written report with the Commission no later than 4:00 p.m. on January 31, 2017, providing an update on its efforts to procure access to firm capacity sufficient to fulfil its obligations under the Electric Power Act.

DATED at Charlottetown, Prince Edward Island, this 29th day of January, 2016.

BY THE COMMISSION:

J. Scott MacKenzie Q.C., Chair

Douglas Clow, CPA, CA, Vice-Chair

John Broderick, Commissioner

Michael Campbell, Commissioner

NOTICE

Section 12 of the *Island Regulatory and Appeals Commission Act* reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written **Request for Review**, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13.(1), 13(2), 13(3) and 13A(4) of the *Act* provide as follows:

13.(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.

(3) The Commission shall be deemed to be a party to the appeal.

(4) No costs shall be payable by any party to an appeal under this section unless the Court of Appeal, in its discretion, for special reasons, so orders.

IRAC140A(04/07)

NOTE: In accordance with IRAC's *Records Retention and Disposition Schedule*, the material contained in the official file regarding this matter will be retained by the Commission for a period of 5 years.