


<p>Dated on the 2nd day of June, 2011</p>	 <p>The Alberta Utilities Commission</p>
<p>Appendix 1 to Decision 2011-239 Heritage Wind Farm Development Inc. 291 MW Heritage Wind Farm Power Plant</p>	<p>Application No. 1480111 Proceeding ID No. 276</p>

Benign Energy Canada Inc. (Benign) by Application No. 1480111 (the application) registered on September 23, 2006, applied to the Alberta Energy and Utilities Board for approval to construct and operate the Heritage Wind Farm Power Plant (power plant) in the Pincher Creek area. Benign took no steps to pursue the application and in January 2008, Benign transferred its interest in the power plant to Heritage Wind Farm Development Inc. (Heritage). The application became an Alberta Utilities Commission (AUC or the Commission) matter as of January 1, 2008.

The Commission, pursuant to Section 11 of the *Hydro and Electric Energy Act*, approved the application in Decision 2011-239 and granted an approval to Heritage to construct and operate the power plant, subject to the provisions of the *Hydro and Electric Energy Act* and the *Alberta Utilities Commission Act*, any regulations made under the acts, any orders made under the acts, the Commission rules made pursuant to the *Alberta Utilities Commission Act*, and the following terms and conditions:

1. The power plant shall be located at the following locations:
 - sections 1, 5, 8 and 10 of Township 8, Range 29, west of the Fourth Meridian
 - sections 13, 22, 23, 24, 26, 27, 32 and 36 of Township 7, Range 29, west of the Fourth Meridian
 - sections 18, 19, 20 and 21 of Township 7, Range 28, west of the Fourth Meridian
2. The power plant shall consist of 97 wind turbines, each rated at three megawatts (MW), with a total generating capacity of 291 MW, and as more particularly described in the application. Each wind turbine supporting structure shall be installed with its centre at the longitude and latitude coordinates specified in the application. If the supporting structure of any wind turbine has to be located more than 50 metres from the specified coordinates, Heritage must apply to the AUC for an amendment to this approval prior to construction.
3. The power plant shall also consist of a 34.5-kilovolt (kV) gathering system as described in the application. The gathering system is to be used solely for collecting the electric energy generated by each turbine and transmitting that electric energy to the power plant's substation.
4. Heritage shall submit a progress report to the Commission in writing once every three months on construction progress pursuant to Section 3 of the *Hydro and Electric*

Energy Regulation. The first progress report shall be filed with the Commission three months from the date of issuance of this approval.

5. Unless otherwise authorized by the Commission construction of the power plant shall be completed by May 30, 2014.
6. Heritage shall notify the Commission within 30 days of completing the power plant.
7. Heritage shall conduct a post-construction monitoring program in accordance with the recommendations of Alberta Sustainable Resources Development (ASRD) and file with the Commission the results from its post-construction monitoring program as reported to ASRD, as well as any correspondence from ASRD commenting on, or in response to those results and reports.
8. Within one year of connecting to the Alberta Interconnected Electric System and becoming operational, Heritage shall, in accordance with the requirements stipulated in AUC Rule 012: *Noise Control*, conduct a comprehensive sound level survey at the dwellings in the application as Receptors 3, 4, 6, 7, 13, 21, 26, 28, 32, 33, 36, 38, 39, 40 and 42, and submit a report of the survey to the Commission.
9. Heritage shall obtain Commission approval prior to making any material changes to the power plant or substantially varying the design and/or specifications of the power plant from what was stated in the application or from what the Commission has approved.
10. This approval is not transferable unless approved by the Commission.

The Commission may cancel or suspend this approval, in whole or in part, in accordance with Section 41 of the *Hydro and Electric Energy Act* or may review this approval, in whole or in part, upon its own motion or upon an application by an interested party, in accordance with Section 10 of the *Alberta Utilities Commission Act*.

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