



**SunAlta Solar Inc.**

**SunAlta Solar PV1 Power Plant**

**April 12, 2021**

**Alberta Utilities Commission**

Decision 25951-D01-2021

SunAlta Solar Inc.

SunAlta Solar PV1 Power Plant

Proceeding 25951

Applications 25951-A001 and 25951-A002

April 12, 2021

Published by the:

Alberta Utilities Commission

Eau Claire Tower

1400, 600 Third Avenue S.W.

Calgary, Alberta T2P 0G5

Telephone: 310-4AUC (310-4282) in Alberta

1-833-511-4AUC (1-833-511-4282) outside Alberta

Email: [info@auc.ab.ca](mailto:info@auc.ab.ca)

Website: [www.auc.ab.ca](http://www.auc.ab.ca)

The Commission may, within 30 days of the date of this decision and without notice, correct typographical, spelling and calculation errors and other similar types of errors and post the corrected decision on its website.

## Contents

<b>1</b>	<b>Decision summary .....</b>	<b>1</b>
<b>2</b>	<b>Application and project details .....</b>	<b>1</b>
<b>3</b>	<b>Statement of intent to participate .....</b>	<b>3</b>
<b>4</b>	<b>Preliminary matter – objection to intervener evidence.....</b>	<b>3</b>
<b>5</b>	<b>Discussion and Commission findings.....</b>	<b>4</b>
5.1	Rule 007 .....	4
5.2	Environmental and health effects .....	4
5.2.1	Discussion.....	4
5.2.2	Commission findings.....	6
5.3	Solar glare and noise.....	7
5.3.1	Discussion.....	7
5.3.2	Commission findings.....	8
5.4	Visual effects .....	9
5.4.1	Discussion.....	9
5.4.2	Commission findings.....	9
5.5	Property value.....	11
5.5.1	Discussion.....	11
5.5.2	Commission findings.....	11
<b>6</b>	<b>Overall Commission findings.....</b>	<b>11</b>
<b>7</b>	<b>Decision .....</b>	<b>12</b>

## **1 Decision summary**

1. In this decision, the Alberta Utilities Commission approves applications from SunAlta Solar Inc. to construct and operate a power plant designated as the SunAlta Solar PV1 Project, and to connect the project to FortisAlberta Inc.'s 25-kilovolt electric distribution system.

## **2 Application and project details**

2. SunAlta Solar Inc. (SAS), represented by Irricana Power Generation, filed applications with the AUC for approval to construct and operate a 9.25-megawatt (MW) solar power plant designated as the SunAlta Solar PV1 Project (the project), and to connect the project to FortisAlberta Inc.'s 25-kilovolt electric distribution system. The applications were registered on October 28, 2020, as applications 25951-A001 and 25951-A002.

3. The project would consist of approximately 30,680 solar photovoltaic panels on a fixed-tilt racking system, 74 inverters, four padmount transformers, a collector system, a perimeter fence, access roads, three stormwater detention basins, on-site buildings, a radio tower, and an interconnector line connected to FortisAlberta Inc.'s electric distribution system.<sup>1</sup>

4. The project would be located entirely on private lands in Newell County (the County), approximately 14 kilometres southeast of the town of Bassano, Alberta. More specifically, the project would be located on the eastern 120 acres of the northeast quarter of Section 17, Township 20, Range 17, west of the Fourth Meridian, as shown in Figure 1.<sup>2</sup>

---

<sup>1</sup> Exhibit 25951-X0004, ATT 18 SunAlta NE-17-020-17W4\_C\_R\_Plan\_20201026\_FINAL, PDF pages 8 to 10.

<sup>2</sup> Exhibit 25951-X0001, SunAlta Solar - Power Plant Application Final, PDF page 8.

Figure 1: SunAlta solar project location



5. The project would be interconnected to FortisAlberta Inc.'s 25-kilovolt electric distribution system at a point near the town of Bassano in Legal Subdivision 15 of Section 17, Township 20, Range 17, west of the Fourth Meridian. SAS filed a letter provided by FortisAlberta Inc. indicating that it has no concerns with the interconnection of the project.<sup>3</sup>

6. SAS's applications included:

- A participant involvement program, which detailed consultation with stakeholders within 800 metres of the project and notification of stakeholders within 2,000 metres of the project.
- A noise impact assessment, which concluded the project would comply with permissible sound levels set out in Rule 012: *Noise Control*.
- Two solar glare assessments, which concluded glare from the project would have low potential to create hazardous conditions at nearby dwellings and transportation routes.
- An environmental evaluation, which included mitigations to address potential adverse environmental impacts of the project.
- A renewable energy referral report dated September 8, 2020, from Alberta Environment and Parks (AEP) Fish and Wildlife Stewardship, which ranked the project a low risk to wildlife and wildlife habitat.

<sup>3</sup> Exhibit 25951-X0013, ATT 12 Letter of Non-Objection to AUC - 660000517.

- *Historical Resources Act* approval dated May 14, 2019.
  - A conservation and reclamation plan (C&R plan), which confirmed that conservation, reclamation and decommissioning activities would be implemented in alignment with the *Environmental Protection and Enhancement Act* and AEP's *Conservation and Reclamation Directive for Renewable Energy Operations* (the C&R Directive).
  - A stormwater management plan, which evaluated the existing and post-development site conditions and presented engineering solutions to control surface runoff.
  - A site-specific emergency response plan, which described potential emergencies and procedures SAS will implement in the event of fire or other emergencies.
7. Additionally, the applications stated that SAS:
- Has consulted with the Bassano Volunteer Fire Department and the Brooks Fire Department about its emergency response plan and neither of those parties expressed any concerns.
  - Is currently consulting with the County to obtain a development permit for the project.
8. SAS indicated that project equipment selection and layout would be finalized by August 2021. Construction is scheduled to be complete by October 1, 2022, with a planned in-service date of December 1, 2022.<sup>4</sup>

### **3 Statement of intent to participate**

9. The Commission issued a notice of applications for the project in accordance with Section 7 of Rule 001: *Rules of Practice* and in response, the Commission received a statement of intent to participate from Krista Evans. Krista Evans owns land immediately south of the project area which contains a dwelling approximately 360 metres south of the project boundary. Krista Evans' concerns relate to environmental, health and visual effects from the project, as well as impacts to the value of her property.

10. The Commission granted standing to Krista Evans and held a written hearing to consider the applications.

### **4 Preliminary matter – objection to intervener evidence**

11. SAS objected to Krista Evans' written evidence on the basis that it was filed on January 20, 2021, one day after the deadline set out in the Commission's notice of written hearing. The Commission does not consider the one-day delay of Krista Evans' evidence to be material nor has SAS demonstrated that it was prejudiced by the late filed evidence. Accordingly, the Commission dismisses SAS's objection to Krista Evans' written evidence.

---

<sup>4</sup> Exhibit 25951-X0034, Information Response, PDF pages 2 to 3.

## 5 Discussion and Commission findings

12. The Commission is considering the applications under sections 11 and 18 of the *Hydro and Electric Energy Act*. These sections stipulate that no person can construct or operate a power plant or connect a power plant to the Alberta Interconnected Electric System without the Commission's approval.

13. In accordance with Section 17 of the *Alberta Utilities Commission Act*, the Commission must assess whether the project is in the public interest, having regard to its social, economic and environmental effects.

14. The Commission has previously found that the public interest will be largely met if an application complies with existing regulatory standards, and the project's benefits to the public outweigh its negative impacts.<sup>5</sup> In determining if the application is in the public interest the Commission must take into account the purposes of the *Hydro and Electric Energy Act* and the *Electric Utilities Act*,<sup>6</sup> and cannot consider the need for the project or whether it is the subject of a renewable electricity support agreement under the *Renewable Electricity Act*. The Commission must also determine whether an applicant has met the requirements of Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* and Rule 012. An applicant must also obtain all approvals required by other applicable provincial or federal legislation.

15. The Commission's consideration of the above matters is detailed in the subsections that follow.

### 5.1 Rule 007

16. The Commission has reviewed the applications and finds that the information requirements as well as the requirements for a participant involvement program specified in Rule 007 have been met.

### 5.2 Environmental and health effects

#### 5.2.1 Discussion

17. SAS retained Stantec Consulting Ltd. (Stantec) to conduct an environmental evaluation for the project. Stantec concluded that given the siting on previously disturbed land that avoids environmentally sensitive features as well as the project design and implementation of recommended mitigation measures, the project is not predicted to result in significant residual environmental effects.<sup>7</sup>

18. SAS stated that environmental studies for the project have been completed and are compliant with applicable environmental legislation and AUC regulations. SAS submitted that AEP has accepted SAS's environmental evaluation for the project; and in its referral report, AEP ranked the project as being a low risk to wildlife and wildlife habitat.<sup>8</sup>

---

<sup>5</sup> Alberta Energy and Utilities Board Decision 2001-111: EPCOR Generation Inc. and EPCOR Power Development Corporation 490-MW Coal-Fired Power Plant, Application 2001173, December 21, 2001, page 4.

<sup>6</sup> *Hydro and Electric Energy Act*, RSA 2000 c H-16, sections 2 and 3.

<sup>7</sup> Exhibit 25951-X0006, ATT 4 Environment Effects rpt\_123513127\_bassano\_solar\_ee\_final.

<sup>8</sup> Exhibit 25951-X0007, ATT 5 20200908 AEP-FWS Renewable Referral Report\_SunAlta Solar PV1 Project.

19. SAS's stormwater management plan for the project evaluated existing and post-development site conditions from a stormwater runoff perspective and presented engineering solutions to control surface runoff. SAS submitted that stormwater management features for the project will include five detention basins, grassed swales and infiltration berms which will limit site runoff to existing peak discharges as well as promote the removal of suspended sediment in stormwater. In addition, all stormwater features, as well as erosion and sediment control best management practices, will be continuously inspected and maintained.<sup>9</sup>
20. The C&R plan submitted by SAS identified mitigation measures to reduce potential environmental effects associated with construction, operations, and reclamation, and confirmed that project reclamation and decommissioning activities would meet the requirements of the *Environmental Protection and Enhancement Act* and the C&R Directive. In addition, SAS submitted that when the project is decommissioned and fully reclaimed, a reclamation certificate site assessment would be completed as part of a reclamation application to AEP, and a reclamation certificate would be obtained following decommissioning of the project.<sup>10</sup>
21. Krista Evans expressed concern about SAS's failure to identify the substances to be used in the project and about the possibility that hazardous chemicals would be contained in project equipment and infrastructure. Krista Evans conducted research on potential materials used in solar panels and stated that certain materials (i.e., copper indium gallium selenide, silicon and perovskite) are likely to be hazardous to human and livestock health. More specifically, Krista Evans stated that during severe weather events (e.g., snow and tornadoes), chemicals could be washed out of the solar panels, or the solar panels could become dislodged from their base. Krista Evans stated that the resulting environmental contamination would be costly, hazardous to livestock, and/or damage grassland. In addition, Krista Evans raised concerns with proper and responsible disposal of project material at the end of the project's life.
22. SAS stated that many of the concerns raised by Krista Evans relate to hypothetical situations with no direct correlation to the project. SAS described Krista Evans' evidence as "personal beliefs"<sup>11</sup> and noted that "she was seeking additional information to understand if there was actual 'health risks' and 'risk of contamination' rather than providing evidentiary support of possible concerns in this specific project."<sup>12</sup>
23. SAS submitted that the project solar panels are comprised of solid materials that would not leak and therefore would not be a source of potential environmental contamination. Further, all products associated with the project have been appropriately certified and approved as required by local, provincial and federal regulators.<sup>13</sup> In response to Krista Evans' concern about severe weather impacting the project, SAS stated that project solar panels would be installed to withstand all types of weather.

---

<sup>9</sup> Exhibit 25951-X0008, ATT 8 SunAlta Solar PV 1 - Stormwater Management Plan Revision 1.

<sup>10</sup> Exhibit 25951-X0004, ATT 18 SunAlta NE-17-020-17W4\_C\_R\_Plan\_20201026\_FINAL.

<sup>11</sup> Exhibit 25951-X0041, Final Argument, PDF page 2.

<sup>12</sup> Exhibit 25951-X0041, Final Argument, PDF pages 2 and 3.

<sup>13</sup> Exhibit 25951-X0042, Written Reply Argument – Applicant, PDF page 2.



### 5.2.2 Commission findings

24. The Commission acknowledges the concerns raised by Krista Evans about the potential for environmental contamination and health effects from the project on nearby residents and livestock, but finds that the evidence filed in the proceeding does not support such concerns.

25. With regard to the environmental effects of the project more generally, the Commission notes that the project will be sited entirely on previously disturbed land that avoids environmentally sensitive features and AEP has determined that the project presents a low risk to wildlife and wildlife habitat. Furthermore, SAS has committed to implementing the mitigation measures set out in Stantec's project-specific environmental evaluation and those measures have been reviewed and accepted by AEP in the renewable energy referral report.<sup>14,15</sup>

26. The Commission also notes that SAS has a C&R plan, a stormwater management plan and an emergency response plan in place to address any environmental issues related to construction, operation, reclamation and emergencies during the project life cycle.

27. In particular, the Commission accepts the commitments made by SAS in its C&R plan as these commitments are consistent with the requirements of the *Environmental Protection and Enhancement Act* and the C&R Directive. Based on the C&R plan, the project reclamation will meet equivalent land capability at the end of the project life cycle, as determined by reclamation criteria for the desired end land use. In addition, SAS will obtain a reclamation certificate from AEP, before decommissioning the project. As such, the Commission expects that during the reclamation stage, the project will be decommissioned properly and project materials will be disposed of responsibly.

28. Having regard to the foregoing the Commission is satisfied that with implementation of and adherence to: the mitigation measures identified, the C&R plan, the stormwater management plan and the emergency response plan, the project is unlikely to result in significant environmental effects and any potential adverse environmental effects from the project will be adequately addressed.

29. Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants* came into force on July 1, 2019, and applies to all solar projects. Accordingly, SAS must comply with the requirements of Rule 033. Subsection 3(3) of Rule 033 requires approval holders to submit to AEP and the AUC annual post-construction monitoring survey reports. Consequently, the Commission imposes the following condition of approval:

- a) SAS shall submit an annual post-construction monitoring survey report to Alberta Environment and Parks (AEP) and the AUC within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

---

<sup>14</sup> Exhibit 25951-X0006, ATT 4 Environment Effects rpt\_123513127\_bassano\_solar\_ee\_final.

<sup>15</sup> Exhibit 25951-X0007, ATT 5 20200908 AEP-FWS Renewable Referral Report\_SunAlta Solar PV1 Project.

### 5.3 Solar glare and noise

#### 5.3.1 Discussion

30. SAS retained Green Cat Renewables Canada Corporation (Green Cat) to assess solar glare from the project. Green Cat submitted two solar glare assessments: a solar glare assessment dated August 15, 2019, based on an initial project design,<sup>16</sup> and an updated solar glare assessment dated December 3, 2020, based on the proposed project design.<sup>17</sup>

31. Green Cat identified one Quonset (D1), four dwellings (D2 to D5), one railway and three roads as glare receptors. In the updated solar glare assessment, Green Cat clarified that D1 was a Quonset, not a dwelling as defined in Rule 012.<sup>18</sup> In response to a Commission information request, SAS further clarified that D1 has been demolished.<sup>19</sup>

32. Green Cat used a colour-coded classification system from the Federal Aviation Administration to assess solar glare from the project. The classification system consists of three categories for glare effects, which are described with three colours (green, yellow and red):

- green glare: glare with low potential for temporary after-image
- yellow glare: glare with potential for temporary after-image
- red glare: glare with potential for permanent eye damage

33. The updated solar glare assessment predicted that the project would not result in any glare at nearby dwellings or along Range Road 175, but predicted the railway, Range Road 174 and Township Road 202 would experience some glare from the project. Range Road 174 was predicted to experience the most yellow glare (up to 684 minutes of yellow glare per year). Green Cat concluded that glare from the project would have low potential to create hazardous conditions at receptors.

34. Prediction results and conclusions in the Green Cat solar glare assessments were premised upon the use of an anti-reflective coating applied to the solar panels,<sup>20</sup> which SAS has committed to using.<sup>21</sup>

35. SAS retained Stantec to prepare a noise impact assessment for the project. Project noise effects were predicted at four receptors within 1.5 kilometres of the project boundary. The noise impact assessment report, dated February 2020, concluded that the project noise level would meet AUC Rule 012 requirements.

36. SAS emphasized that independent third-party subject matter experts were retained to conduct all necessary studies to assess effects from the project, and these studies demonstrate that the project will not cause glare at Krista Evans' dwelling and noise levels from the project will be compliant with Rule 012.

---

<sup>16</sup> Exhibit 25951-X0002, ATT 16 SunAlta Solar PV 1 - Glare Hazard Analysis Report\_2019.08.15.

<sup>17</sup> Exhibit 25951-X0033, Solar Glare Hazard Assessment.

<sup>18</sup> Exhibit 25951-X0033, Solar Glare Hazard Assessment, PDF page 6.

<sup>19</sup> Exhibit 25951-X0034, Information Response, PDF page 5.

<sup>20</sup> Exhibit 25951-X0033, Solar Glare Hazard Assessment, PDF page 4.

<sup>21</sup> Exhibit 25951-X0042, Written Reply Argument – Applicant, PDF page 1.

37. Krista Evans stated that model-based assessments of project impacts (e.g., glare and noise) are only predictions and should be verified through post-construction monitoring.<sup>22</sup>

### 5.3.2 Commission findings

38. As SAS clarified that receptor D1 has been demolished, the Commission did not consider D1 as a receptor when evaluating potential glare impacts from the project.

39. The Commission accepts the Green Cat report and its conclusion that: nearby dwellings and Range Road 175 would not experience glare from the project; the railway, Range Road 174 and Township Road 202 would experience some glare from the project; and that glare from the project would have low potential to create hazardous conditions at receptors.

40. There are currently no public safety standards or regulations associated with solar glare that apply to the project. That being said, the Commission expects that any glare issues associated with the project will be addressed by SAS in a timely manner. Accordingly, the Commission imposes the following conditions of approval:

- b) SAS shall use anti-reflective coating on the project solar panels.
- c) SAS shall file a report detailing any complaints or concerns it receives or is made aware of regarding solar glare from the project during its first year of operation, as well as SAS's response to the complaints or concerns. SAS shall file this report no later than 13 months after the project becomes operational.

41. With respect to noise impacts, the Commission finds that the noise impact assessment report submitted by SAS meets the requirements of Rule 012 and accepts the conclusion of that report that noise from the project will comply with the permissible sound levels established by that rule.

42. The Commission will not impose post-construction noise monitoring as a condition of approval because: (i) the nighttime cumulative sound level at Krista Evans' dwelling (i.e., the nearest occupied dwelling) is predicted to be 36.3 A-weighted decibels (dBA), which is 3.7 dBA less than the applicable nighttime permissible sound level from Rule 012 (i.e., 40 dBA); and (ii) the project noise contribution at Krista Evans' dwelling is predicted to be 19.1 dBA, which is 15.9 dBA less than the 35 dBA nighttime ambient sound level. In conclusion, the noise contribution from the project is expected to be minimal at Krista Evans' dwelling.

43. The Commission notes that SAS has not finalized selection of equipment for the project. Consequently, the Commission imposes the following as a condition of approval:

- d) Once SAS has made its final selection of equipment for the project, it must file a letter with the Commission that identifies the make, model, and quantity of the equipment and, if the equipment layout has changed, provides an updated site plan. This letter must also confirm that the finalized design of the project will not increase the land, noise, glare or environmental impacts beyond the levels approved in this decision. This letter is to be filed no later than one month before construction is scheduled to begin.

---

<sup>22</sup> Exhibit 25951-X0040, Intervener Final Written Argument, PDF page 3.

## 5.4 Visual effects

### 5.4.1 Discussion

44. Krista Evans expressed concern about the visual effects of the project. She stated that it was her intention to return to her property to raise her family but since the announcement of the project, she no longer wishes to live there “because of the visual aspects I [she] would be forced to endure on a daily basis.”<sup>23</sup>

45. SAS disagreed that the project would adversely affect the use or enjoyment of Krista Evans’ property. SAS stated that there will be “no visual impacts to her property” because the project design maintained a minimum setback of 300 metres from Krista Evans’ dwelling to reduce visual effects, and trees “currently in place” would impede the view of the project.<sup>24</sup> In addition, SAS committed to “mitigating any adverse impacts as a result of the proposed Project, through additional visual abatements if required, such as landscaping measures, trees and/or screens.”<sup>25</sup>

46. Krista Evans acknowledged SAS’s assertion that trees would block her view of the project and mitigate potential visual effects, however, she stated that SAS did not clarify location, density or height of these trees. Krista Evans explained that there are no trees on the property line between the project site and her land. She emphasized that the tree belt surrounding her dwelling is not sufficiently tall or dense to block the view of the project and that there is a clear view of the project from many of the living areas within her dwelling.

47. Krista Evans also asserted that the project would be constructed within approximately 10 metres of her property line. She submitted that even if trees were sufficient to block the view from her dwelling, her concern about visual effects would remain, since she intends to enjoy all areas of her land without visual effects from the project.

48. SAS submitted that the project would be sited in accordance with applicable property setbacks required by the County, and clarified that the project would not be constructed within approximately 10 metres of Krista Evans’ property line. A plot plan for the project submitted by SAS shows the distance between the nearest project solar panels and Krista Evans’ property line to be 21 metres (70 feet).<sup>26</sup> In addition, SAS stated that Krista Evans did not provide any expert evidence to support her assertions with respect to visual effects from the project.

### 5.4.2 Commission findings

49. The Commission’s evaluation of visual effects from the project has focused on Krista Evans’ dwelling, rather than unoccupied land or nearby transportation routes.

50. The Commission acknowledges Krista Evans’ concerns about the visual effects of the project. However, based on the very limited evidence available, the Commission is not persuaded that the project will have an adverse visual effect on Krista Evans’ dwelling such that visual abatement as a condition of approval is warranted.

---

<sup>23</sup> Exhibit 25951-X0038, Written Evidence AUC 25951 Krista Evans, PDF page 3.

<sup>24</sup> Exhibit 25951-X0039, SunAlta Solar Inc. Rebuttal Evidence, PDF page 5.

<sup>25</sup> Exhibit 25951-X0035, Evidence – rebuttal, PDF page 5.

<sup>26</sup> Exhibit 25951-X0022, ATT 7 Bassano Solar V13 Plot Plan.

51. Neither SAS nor Krista Evans provided a visual simulation or other visual assessment of the project. The Commission observes that project solar panels will be approximately 2.1 metres above ground,<sup>27</sup> the distance between the project boundary and Krista Evans' dwelling is approximately 360 metres (1,180 feet) and Krista Evans has acknowledged the presence of some form of "tree belt" surrounding her dwelling, although the height and density of those plantings is uncertain. In view of the foregoing, and in the absence of persuasive evidence to the contrary, the Commission is not satisfied that the project will have an adverse visual effect on Krista Evans' dwelling.

52. In addition, the Commission notes that the proposed project design has incorporated feedback provided by an industrial stakeholder during the participant involvement program.<sup>28</sup> As a result of this feedback, some solar arrays initially located close to the south property line (i.e., close to Krista Evans' property) have been removed. Although these design changes were not implemented to address Krista Evans' concerns, the Commission finds they have reduced the potential for visual effects from the project on Krista Evans' property. A comparison of the initial project layout and the current layout is shown below.<sup>29</sup> In the current layout, the nearest solar panels are approximately 21 metres (70 feet) from Krista Evan's property line.

Figure 2. Comparison of initial project layout (left) and proposed project layout (right)



53. While there is insufficient evidence demonstrating that the project will have an adverse visual effect on Krista Evans' dwelling, the Commission observes that SAS nonetheless allowed for this possibility in committing to mitigate any such adverse impacts, if required, through additional visual abatements, such as landscaping measures, trees and/or screens. Should such measures be reasonably required following construction of the project, the Commission encourages SAS to work with Krista Evans and to follow through with its commitment to address any adverse visual effect on Krista Evans' dwelling resulting from the project.

<sup>27</sup> Exhibit 25951-X0033, Solar Glare Hazard Assessment, PDF page 4.

<sup>28</sup> Exhibit 25951-X0005, ATT 3 PIP Final\_Redacted2-r, PDF page 5.

<sup>29</sup> Exhibit 25951-X0033, Solar Glare Hazard Assessment, PDF page 4.

## **5.5 Property value**

### **5.5.1 Discussion**

54. Krista Evans submitted that the project would have an adverse effect on the value of her property. She stated that individuals who were once interested in purchasing her land are no longer interested because of the proposed development. Krista Evans also expressed a concern that if the project is approved, there could be implications for her property taxes as well as the taxes in the surrounding community. In support of this assertion Krista Evans provided email correspondence from the County discussing the relationship between area zoning and property assessment/taxes.<sup>30</sup>

55. Krista Evans argued that it is impossible to calculate the true impact of the project on the financial value of her property, because SAS has not provided information about chemical compounds present within the project solar panels, has not explained what environmental conditions the project solar panels are designed to withstand and has only provided model-based evidence of potential noise and glare impacts.

56. SAS disagreed that the project would adversely affect the value of Krista Evans' property stating that the project will be located on a separate property more than 300 metres from Krista Evans' dwelling, and will not have any visual effects on her property.

57. SAS further noted that Krista Evans did not provide any expert property value evidence to support her claim. SAS referred to previous Commission decisions on solar projects which found that property valuation is a complex and technical issue that requires specialized knowledge and expertise. SAS stated that in assessing property valuation related concerns, the Commission typically does not give any weight to opinion evidence from lay witnesses.

### **5.5.2 Commission findings**

58. The Commission finds that neither the email from the County nor that from a prospective purchaser provides sufficient evidence that the project will adversely affect the value of Krista Evans' property. The County's email provides a brief and general discussion of the relationship between area zoning and property assessment/taxes. The other email reflects that a prospective buyer does not want to continue discussions about the potential purchase of Krista Evans' property because of the project.

59. The Commission has previously expressed the view that concerns over property value impacts require specialized expertise and evidence in order for the Commission to conclude that a given project will have an adverse effect on land and property values. No such evidence was filed in this proceeding.

## **6 Overall Commission findings**

60. For the reasons outlined above and subject to all of the conditions outlined in this decision (which are listed in Appendix B), the Commission finds that SAS has satisfied the requirements of Rule 007 and Rule 012 and that in accordance with Section 17 of the

---

<sup>30</sup> Exhibit 25951-X0038, Written Evidence AUC 25951 Krista Evans, PDF pages 5 and 6.

*Alberta Utilities Commission Act*, approval of the project is in the public interest having regard to the social, economic, and other effects of the project, including its effect on the environment.

61. The Commission notes that FortisAlberta Inc. did not express any concerns with the proposed interconnection of the project to the Fortis Alberta Inc. distribution system and there are no outstanding public or industry concerns related to the interconnection.

## **7 Decision**

62. Pursuant to Section 11 of the *Hydro and Electric Energy Act*, the Commission approves Application 25951-A001 and grants SunAlta Solar Inc. the approval set out in Appendix 1 – Power Plant Approval 25951-D02-2021 – April 12, 2021 (Appendix 1 will be distributed separately).

63. Pursuant to Section 18 of the *Hydro and Electric Energy Act*, the Commission approves Application 25951-A002 and grants SunAlta Solar Inc. the approval set out in Appendix 2 – Order 25951-D03-2021 – April 12, 2021 (Appendix 2 will be distributed separately).

Dated on April 12, 2021.

### **Alberta Utilities Commission**

*(original signed by)*

Carolyn Hutniak  
Panel Chair

*(original signed by)*

Cairns Price  
Commission Member

**Appendix A – Proceeding participants**

Name of organization (abbreviation) Company name of counsel or representative
SunAlta Solar Inc. Kyle Fawcett
Irricana Power Generation Tony Smith
Intervener Krista Evans



## Appendix B – Summary of Commission conditions of approval

This section is intended to provide a summary of all conditions of approval for the convenience of readers. In the event of any difference between the directions and conditions in this section and those in the main body of the decision, the wording in the main body of the decision shall prevail.

The following are conditions of Decision 25951-D01-2021 that require follow-up with the Commission, and will be tracked as conditions of Power Plant Approval 25951-D02-2021 using the AUC's eFiling System:

- SAS shall submit an annual post-construction monitoring survey report to Alberta Environment and Parks (AEP) and the AUC within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.
- SAS shall file a report detailing any complaints or concerns it receives or is made aware of regarding solar glare from the project during its first year of operation, as well as SAS's response to the complaints or concerns. SAS shall file this report no later than 13 months after the project becomes operational.
- Once SAS has made its final selection of equipment for the project, it must file a letter with the Commission that identifies the make, model, and quantity of the equipment and, if the equipment layout has changed, provides an updated site plan. This letter must also confirm that the finalized design of the project will not increase the land, noise, glare or environmental impacts beyond the levels approved in this decision. This letter is to be filed no later than one month before construction is scheduled to begin.

The following is a condition of Decision 25951-D01-2021 that does not require follow-up with the Commission:

- SAS shall use anti-reflective coating on the project solar panels.