

June 30, 2021

To: Parties currently registered in Proceeding 26485

**Dunmore Solar Inc.
Dunmore Solar Power Plant and Dunmore 1011S Substation
Proceeding 26485
Applications 26485-A001 and 26485-A002**

Ruling on standing

1. In this ruling, the Alberta Utilities Commission decides whether to hold a public hearing to consider applications by Dunmore Solar Inc. for the construction and operation of a solar power plant and associated substation (collectively, the project) in Cypress County, Alberta.
2. The Commission must hold a hearing if persons who have filed a statement of intent to participate in Proceeding 26485 have demonstrated that they have rights that may be “directly and adversely affected” by the Commission’s decision. Such a person may participate fully in the hearing, including giving evidence, questioning of witnesses, and providing argument. This permission to participate is referred to as standing.
3. The Commission issued a notice of applications for the project on May 11, 2021, with a submission filing deadline of June 9, 2021. Three notices were returned. The applicant provided updated addresses and the Commission mailed the notice to those addresses on June 14th, with an extended submission filing deadline of June 28, 2021.
4. On June 28, 2021, the Commission received statements of intent to participate from Stan Weiss and from Dayna Felesky, who indicated that she was filing on her own behalf and on behalf of Felesky Cattle Co. Ltd. Stan Weiss stated that he owns land within 200 metres of the project. Dayna Felesky indicated that Felesky Cattle Co. Ltd. owns land within 800 metres of the project and that she resides on that land.
5. The Commission has instructed me to communicate its decision on standing.

Ruling

6. The Commission is satisfied that Stan Weiss, Dayna Felesky and Felesky Cattle Co. Ltd. have demonstrated that they have legal rights that may be directly and adversely affected by the Commission’s decision on the applications. Each of them owns or occupies land that is 800 metres or less from the proposed project and is concerned about potential direct and adverse effects, including the increased use of local roads, solar glare and noise from the project, weed control on the project lands, impacts on the local ecosystem, increased gopher populations and project cleanup and restoration. Stan Weiss, Dayna Felesky and Felesky Cattle Co. Ltd. are granted full participation rights in the proceeding.

Costs eligibility

7. Stan Weiss, Dayna Felesky and Felesky Cattle Co. Ltd. meet the definition of “local intervener” in Section 22 of the *Alberta Utilities Commission Act* and are therefore eligible to file a costs claim seeking recovery of the costs of their participation in this proceeding, in accordance with the Commission’s Rule 009: *Rules on Local Intervener Costs*.

8. The Commission emphasizes that eligibility to claim costs does not guarantee full recovery of those costs. Any claims for costs must be filed after this proceeding is concluded, in accordance with Rule 009. Cost recovery is subject to the Commission assessing the value of a party’s contribution to the proceeding, and in accordance with the guidance provided in Section 7 of Rule 009, the Commission may consider whether an intervener submitted evidence and argument on issues that were not relevant to the proceeding.

Further process

9. The Commission has decided to hold a virtual oral hearing process. A notice of hearing will be issued in due course.

10. Should you have any questions, please contact the undersigned at 403-592-3280 or by email at gary.perkins@auc.ab.ca.

Yours truly,

Gary Perkins
Commission Counsel