



Lathom Solar GP Ltd.

Lathom Solar Project

July 14, 2021

Alberta Utilities Commission

Decision 26538-D01-2021

Lathom Solar GP Ltd.

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Proceeding 26538

Applications 26538-A001 and 26538-A002

July 14, 2021

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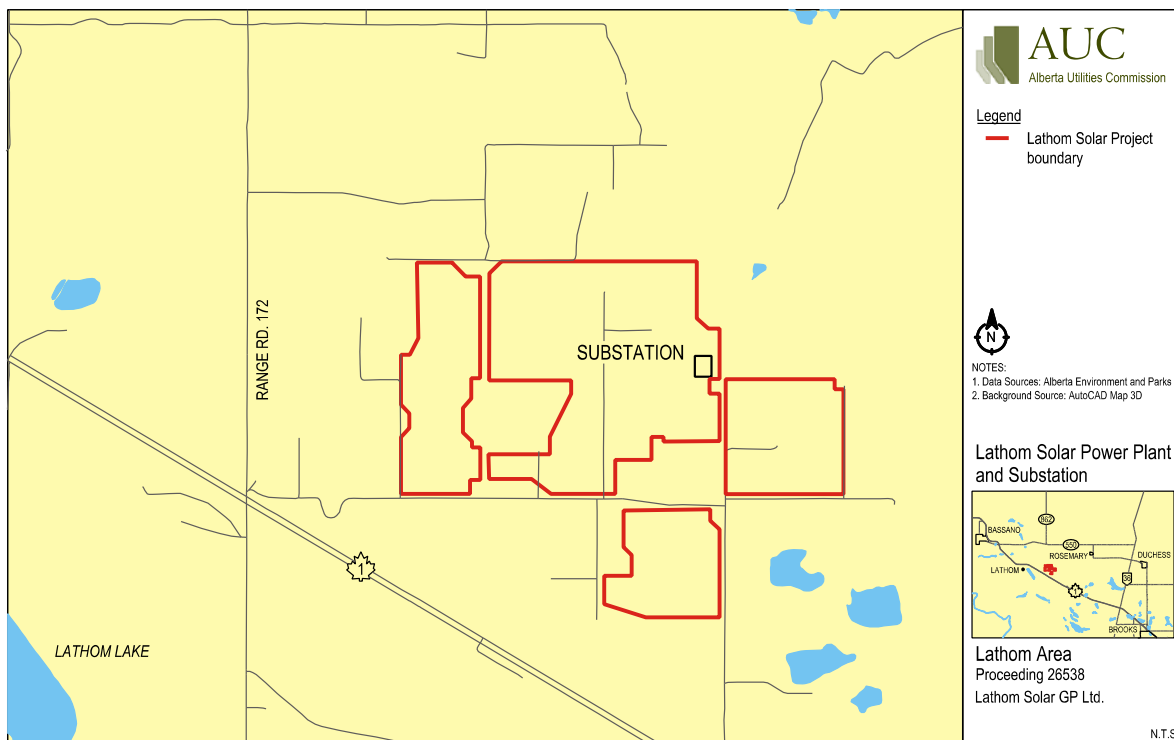
1 Decision summary

1. In this decision, the Alberta Utilities Commission approves applications from Lathom Solar LP, on behalf of its general partner Lathom Solar GP Ltd.,¹ to construct and operate the Lathom Solar Project, consisting of a 120-megawatt (MW) solar power plant and the associated Lathom 608S Substation.

2 Applications

2. Lathom Solar GP Ltd. (Lathom Solar) filed applications with the Commission for approval to construct and operate a 120-MW solar power plant and the Lathom 608S Substation, collectively the Lathom Solar Project (project). The project area is located in the County of Newell, approximately 15 kilometres southeast of the town of Bassano, and would be located on eight quarter sections of agricultural land, as shown on the map in Figure 1.

Figure 1. Proposed project area



¹ A wholly owned subsidiary of Greengate Power Corporation.

3. The project would consist of approximately 340,000 bi-facial solar panels, 38 inverter and transformer stations, a 34.5-kilovolt (kV) underground collector system and a collector substation. The panels would be installed on a single axis tracking system. Lathom Solar submitted that it had not yet finalized the make and model of its solar panels or the collector system.

4. The collector substation, called Lathom 608S Substation, would be located on the east side of the project area in the northeast quarter of Section 25, Township 20, Range 17, west of the Fourth Meridian. It would include two 138/34.5-kV transformers, one 138-kV circuit breaker and three 34.5-kV circuit breakers.

5. Lathom Solar stated that the project could connect the Lathom 608S Substation to AltaLink Management Ltd.'s Transmission Line 853AL, which is approximately 110 metres away from the substation. A separate application is to be filed with the Commission for the interconnection of the project to the Alberta Interconnected Electric System.

6. Lathom Solar's application included:

- A participant involvement program, which detailed consultation with stakeholders within 800 metres of the project and notification to stakeholders within 2,000 metres of the project that included a virtual open house and an advertisement in the Brooks Bulletin. Lathom Solar stated that there are no outstanding concerns.
- A noise impact assessment, which concluded that the project would be in compliance with Rule 012: *Noise Control*.
- A solar glare assessment,² which predicted that the project would cause no glare at five identified receptor locations (one dwelling and four locations along nearby Highway 1).
- A copy of the Certificate of Incorporation for Lathom Solar GP Ltd. to show compliance with Section 23 of the *Hydro and Electric Energy Act*.
- A renewable energy referral report issued by Alberta Environment and Parks, which concluded that the project would have an overall low risk to wildlife and wildlife habitat.
- An environmental evaluation report, which concluded that the project was not expected to cause significant adverse environmental effects and any potential adverse effects of the project could be effectively mitigated.
- *Historical Resources Act* approval dated February 18, 2021.
- A preliminary emergency response plan signed off by the County of Newell's safety codes officer.

² Exhibit 26538-X0005, Attachment 3 - PIP Report: Appendix I.

- A conceptual conservation and reclamation plan, which will be updated within five years of project commissioning with the final project design and site-specific information collected as part of the pre-disturbance site assessment.
- A roadside development permit from Alberta Transportation, a letter of non-objection from NAV CANADA and a signed aeronautical assessment form from Transport Canada for the project.³

7. Lathom Solar expects to begin construction in April of 2022 with an estimated in-service date of December 2022.

8. The Commission issued a notice of applications and no submissions were received in response to the notice.

3 Findings

9. For the reasons outlined below, the Commission finds that 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.

10. The Commission has reviewed the applications and has determined that the information requirements specified in Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* have been met. Additionally, the Commission finds that Lathom Solar's participant involvement program complies with the requirements of Rule 007.

11. The Commission notes that Lathom Solar has not finalized the design or equipment for the project. Consequently, the Commission imposes the following as a condition of approval:

- a) Once Lathom Solar GP Ltd. 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, an updated site plan. This letter must also confirm that the finalized design of the project will not increase the land, noise and environmental impacts from what was approved for the base reference case by the Commission. This letter is to be filed no later than one month before construction is scheduled to begin.

12. With respect to noise impacts, the Commission finds that the noise impact assessment submitted by Lathom Solar meets the requirements of Rule 012 and accepts the conclusion that cumulative sound levels following completion of the project will comply with the permissible sound levels established by Rule 012.

13. In relation to the environmental evaluation report and Alberta Environment and Parks' renewable energy referral report, the Commission is satisfied that with diligent application of Lathom Solar's mitigation measures, construction and post-construction monitoring, and implementation of any additional mitigation measures as directed by Alberta Environment and Parks, the potential adverse environmental effects, including those on wildlife and wildlife

³ Exhibit 26538-X0005, Attachment 3 - PIP Report: Appendixes K, L and M.

habitat, from the siting, construction and operation of the project's facilities can be adequately mitigated.

14. The solar glare assessment predicted that receptors locations along Highway 1 and at one nearby dwelling would experience zero glare from the project solar panels. The predictions were based upon the assumption that anti-reflective coating would be applied to the project's solar panels. Accordingly, the Commission imposes the following approval condition:

b) Lathom Solar GP Ltd. shall use anti-reflective coating on the project solar panels.

15. The Commission acknowledges that there are limitations to the solar glare assessment modelling due to the backtracking functionality of the proposed solar panel tracking system. However, since there are currently no public safety standards or regulations associated with solar glare that apply to the project and Lathom Solar has committed to investigating and mitigating any concerns it receives about potential glare from the project,⁴ the Commission is satisfied that any solar glare effects will be negligible. The Commission expects that any solar glare issues associated with the project will be addressed in a timely manner. As such, the Commission imposes the following approval condition:

c) Lathom Solar GP Ltd. shall file a report with the Commission 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 Lathom Solar's response to the complaints and concerns. Lathom Solar shall file this report no later than 13 months after the project becomes operational.

16. Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants* applies to all solar projects and requires approval holders to submit annual post-construction monitoring survey reports to Alberta Environment and Parks and the AUC. Consequently, the Commission imposes the following condition of approval:

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

17. Based on the foregoing, the Commission considers the project to be in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*.

⁴ Exhibit 26538-X0025, 2021-06-09 Lathom Solar - IR Round 1_FINAL, PDF page 6.

4 Decision

18. Pursuant to Section 11 of the *Hydro and Electric Energy Act*, the Commission approves Application 26538-A001 and grants Lathom Solar GP Ltd. the approval set out in Appendix 1 – Power Plant Approval 26538-D02-2021 – July 14, 2021, to construct and operate the Lathom Solar Project.

19. Pursuant to sections 14, 15 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 26538-A002 and grants Lathom Solar GP Ltd. the approval set out in Appendix 2 – Permit and Licence 26538-D03-2021 – July 14, 2021, to construct and operate the Lathom 608S Substation.

20. The appendices will be distributed separately.

Dated on July 14, 2021.

Alberta Utilities Commission

(original signed by)

Cairns Price
Commission Member

Appendix A – Summary of Commission conditions of approval in the decision

This section is intended to provide a summary of all conditions of approval specified in the decision for the convenience of readers. Conditions that require subsequent filings with the Commission will be tracked as directions in the AUC's eFiling System. In the event of any difference between the 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 26538-D01-2021 that require subsequent filings with the Commission and will be included as conditions of Power Plant Approval 26538-D02-2021:

- Once Lathom Solar GP Ltd. 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, an updated site plan. This letter must also confirm that the finalized design of the project will not increase the land, noise and environmental impacts from what was approved for the base reference case by the Commission. This letter is to be filed no later than one month before construction is scheduled to begin
- Lathom Solar GP Ltd. shall file a report with the Commission 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 Lathom Solar's response to the complaints and concerns. Lathom Solar shall file this report no later than 13 months after the project becomes operational.
- Lathom Solar GP Ltd. shall submit an annual post-construction monitoring survey report to Alberta Environment and Parks and the AUC within 13 months of the project becoming operational, and on or before the same date every subsequent year for which Alberta Environment and Parks requires surveys pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

The following is a condition of Decision 26538-D01-2021 that does not require a subsequent filing with the Commission:

- Lathom Solar GP Ltd. shall use anti-reflective coating on the project solar panels.