



**PACE Canada Development LP,  
on behalf of 2518365 Alberta Ltd.**

**Killam (Old Bear) Solar Farm**

**February 20, 2025**

**Alberta Utilities Commission**

Decision 28643-D01-2025

PACE Canada Development LP, on behalf of 2518365 Alberta Ltd.

Killam (Old Bear) Solar Farm

Proceeding 28643

Application 28643-A001

February 20, 2025

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Alberta Utilities Commission

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## **1 Decision summary**

1. PACE Canada Development LP, on behalf of 2518365 Alberta Ltd., filed an application with the Alberta Utilities Commission requesting approval to construct and operate the 21.6-megawatt Killam (Old Bear) Solar Farm, located within the town of Killam, pursuant to Section 11 of the *Hydro and Electric Energy Act*. PACE also applied for a connection order to connect the power plant to the FortisAlberta Inc. distribution system. The application was registered on March 7, 2024, as Application 28643-A001. After consideration of the record of the proceeding, and for the reasons outlined in this decision, the Commission finds that approval of the project is in the public interest having regard to the social, economic, environmental and other effects of the project.

## **2 Background**

2. The project will be located in the north half of Section 17, Township 44, Range 13, west of the Fourth Meridian, as outlined Figure 1 below. The project will consist of 42,024 bi-facial photovoltaic solar panels mounted on a single-axis tracking system, inverters, and an above-ground electrical collector system.

Figure 1. Project location



3. The Commission issued a notice of application and held a public information session for the project. The following parties submitted statements of intent to participate and were granted standing:

- The Town of Killam
- Kari Fox-Newby
- Kathryn Fee
- Ann Fee
- Cheryl Holben

4. The Town of Killam was the only party who filed evidence in the proceeding. Prior to the oral hearing, the Town confirmed that it had resolved its concerns with the project with PACE and submitted that it no longer had any outstanding issues to be addressed. As no other interveners indicated that they intended to participate in the hearing, the Commission cancelled the hearing.

### 3 How the Commission assesses the proposed project

5. The Commission is an independent regulator tasked with considering the approval of applications for power plants, substations and energy storage facilities, such as this one.<sup>1</sup> To do this, the Commission must consider whether the proposed project is in the public interest, having regard to its social, economic, environmental and other effects.<sup>2</sup>

6. The applicant has the onus of demonstrating that approval of its project is in the public interest. Interveners may attempt to show the applicant has not met that onus and argue that approval of the project is not in the public interest. The Commission's role is to test and assess the evidence before it to determine if the project should be approved, and if so, whether any conditions should apply. As a starting point, the Commission considers whether the application complies with its rules, including Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations, Hydro Developments and Gas Utility Pipelines* and Rule 012: *Noise Control*.

7. On February 28, 2024, the Minister of Affordability and Utilities advised in a letter, in accordance with Section 10 of the *Alberta Public Agencies Governance Act*,<sup>3</sup> of the Government of Alberta's intention to advance various policy, legislative and regulatory changes before the end of 2024 (the February 28 Letter). In Bulletin 2024-03, the Commission confirmed that each power plant proceeding actively before the Commission at the time of issuance of the February 28 Letter would be considered on its individual merits.<sup>4</sup>

#### 3.1 Legislative and evidentiary framework

8. Section 17 of the *Alberta Utilities Commission Act* sets out a broad public interest mandate, requiring the Commission to consider a proposed project's social and economic effects, and its effects on the environment, in addition to any other effects it may or must consider in reaching an overarching conclusion on whether that project is in the public interest. The Commission can, and does, take into account many factors when executing this broad mandate.

9. Among these factors, it is the Commission's position that it should consider stated government policy on a matter directly before it in an application. In this case, that policy includes the February 28 Letter. While such policy advice is not binding, it can play a role in the Commission's ultimate public interest determination. In the Commission's view, such consideration is consistent with the courts' repeated characterization of the Commission's public

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<sup>1</sup> *Hydro and Electric Energy Act*, sections 11, 13.01, 14, 15, 19.

<sup>2</sup> *Alberta Utilities Commission Act*, Section 17.

<sup>3</sup> *Alberta Public Agencies Governance Act*, Section 10.

<sup>4</sup> Bulletin 2024-03, Updates to AUC application review process following generation approvals pause, February 28, 2024.

interest assessment as having a fundamentally discretionary nature. The Commission will weigh applicable policy among the variety of factors it considers in each application before it.

10. Among other matters, the February 28 Letter indicated that the Commission would be directed by upcoming policy and legislative provisions to take an “agriculture first” approach and to evaluate the best use of agricultural lands proposed for renewables development. Further, Alberta would no longer permit renewable generation development on Class 2 lands, “unless a proponent can demonstrate the ability for both crops and/or livestock and renewable generation to co-exist.”<sup>5</sup>

11. Further, on December 6, 2024, the *Electric Energy Land Use and Visual Assessment Regulation* was enacted.<sup>6</sup> In Bulletin 2024-25, the Commission stated that it would assess all proceedings currently before it, for which a decision has not yet been issued, and that are projects sited on high-quality agricultural land, to determine whether further information or process is required to satisfy the requirements in the regulation.<sup>7</sup> For reasons detailed in Section 4.1 of this decision, the Commission determined that further information or process was not required in the specific circumstances of this proceeding.

## 4 Discussion and findings

12. In the following section, the Commission discusses its findings regarding the agricultural, environmental, glare and reclamation impacts of the project, among other concerns. The Commission also summarizes the benefits of the project. In addition to the conditions of approval discussed below, PACE provided a list of additional commitments to which it will adhere.<sup>8</sup>

### 4.1 Agricultural impacts

#### 4.1.1 Does the *Electric Energy Land Use and Visual Assessment Regulation* apply to this project?

13. The *Electric Energy Land Use and Visual Assessment Regulation*<sup>9</sup> includes two agricultural productivity-related requirements for solar power plants on high-quality agricultural lands: (i) an agricultural impact assessment to be filed as part of the solar power plant application; and (ii) a report confirming the agricultural productivity of the land to be filed within 36 months after the start of operations.<sup>10</sup> In addition to detailing the expected effect of the proposed solar power plant on agricultural productivity, an agricultural impact assessment must include measures demonstrating that the solar power plant is designed to achieve coexistence with agricultural land use.

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<sup>5</sup> Letter re Policy Guidance to the Alberta Utilities Commission (28 February 2024) from Nathan Neudorf, Minister Affordability and Utilities.

<sup>6</sup> OIC 368/2024 (AB).

<sup>7</sup> Bulletin 2024-25, Changes to Interim Information Requirements for Power Plant Application, December 18, 2024.

<sup>8</sup> Exhibit 28643-X0129, 20241101 Appendix A - Commitments List; Exhibit 28643-X0136, Town of Killam Letter to AUC re. PACE's Further Agreed to Commitments.

<sup>9</sup> Alta Reg 203/2024.

<sup>10</sup> *Electric Energy Land Use and Visual Assessment Regulation*, sections 4 and 5.

14. This application was filed prior to the issuance of the *Electric Energy Land Use and Visual Assessment Regulation*. Given this, the Commission considers that this project is not subject to the agricultural productivity-related requirements in the *Electric Energy Land Use and Visual Assessment Regulation*. However, from a policy perspective, in considering the project, the Commission is mindful of the intent of the regulation, which aims to ensure that solar power plants on lands of demonstrable high quality have an adequate approach to achieving the coexistence of agriculture and solar power generation.

15. To that end, after assessing the record of this proceeding, the Commission was satisfied that it had sufficient information to assess the potential impacts of the project on agricultural productivity and whether the project would adequately achieve coexistence with agricultural land use. Accordingly, the Commission determined that further information or process was not required to make its policy-informed findings with respect to the agricultural impacts of the project. These findings are detailed in the next section.

#### **4.1.2 Is the project sited on high-quality agricultural land and what has PACE proposed to limit impacts to this resource?**

16. PACE identified early in the proceeding that 100 per cent of the project would be located on Land Suitability Rating System (LSRS) Class 2 land.<sup>11</sup> Currently, the project area is a mixture of agricultural land used for annual crop production and tame pasture for cattle grazing.<sup>12</sup> However, the project area is also sited on land earmarked by the town for industrial and commercial, not agricultural, uses.

17. The project is sited on land that was originally part of the Town's Area Structure Plan (Bylaw 787A). Section 2.1 of the bylaw describes the proposed uses for the plan, which are "to support the development of commercial, highway commercial and industrial lots to serve the agriculture, oil and gas and highway transportation sectors..."<sup>13</sup> The Town later submitted that it will be amending Section 2.1 of the bylaw as follows:

The Plan Area will support the development of commercial, highway commercial, and industrial development (including Solar Energy Facility). Institutional uses may be allowed provided they are compatible with already established uses. No residential uses will be allowed in the Plan Area, subject to temporary dwelling units that are accessory to an approved principal commercial or industrial use.<sup>14</sup>

18. Neither the original nor proposed new wording of Bylaw 787A discusses use of the land for agriculture. Accordingly, the Commission finds that the project is consistent with the Town's non-agricultural intentions for the land.

19. In addition, the Commission is satisfied that PACE has substantially demonstrated that the project can achieve coexistence with agricultural use of the Class 2 lands. Particularly, the Commission finds that PACE's commitments to a rotational grazing system with

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<sup>11</sup> Exhibit 28643-X0032, AUC Interim Requirements, PDF page 3.

<sup>12</sup> Exhibit 28643-X0028, Environmental Evaluation, PDF page 101.

<sup>13</sup> Exhibit 28643-X0095, INTERVENER EVIDENCE-SUBMISSIONS OF THE TOWN OF KILLAM SEPTEMBER 25, 2024, PDF page 87.

<sup>14</sup> Exhibit 28643-X0095, INTERVENER EVIDENCE-SUBMISSIONS OF THE TOWN OF KILLAM SEPTEMBER 25, 2024, PDF page 108.



accommodation for annual crops and hay adequately demonstrate coexistence with agricultural land use.

20. While, as detailed above, the agricultural productivity-related reporting requirements in Section 5 of the *Electric Energy Land Use and Visual Assessment Regulation* do not apply to this project, the Commission has the discretionary power to condition projects with reporting requirements.<sup>15</sup> As a matter of policy, the Commission has therefore considered whether to impose a condition that is equivalent to the requirements in Section 5 of the *Electric Energy Land Use and Visual Assessment Regulation*. In this case and considering the intent of the regulation, the Commission has determined that it will not. This is primarily because the project will be sited on land that was previously earmarked for non-agricultural uses.

#### 4.1.3 Is the agrivoltaics plan deficient?

21. The Town of Killam retained Circle T Consulting, Inc. to prepare an assessment of agrivoltaics, weeds, vegetation, pest, soil and dust risks. The Commission understands that the report of Circle T Consulting does not take issue with the concepts of agrivoltaics, nor the proposal provided by PACE, but rather, identifies some inadequacies of the plan.<sup>16</sup>

22. The Commission finds that it is reasonable, at the application stage of a project, to not have a prospective or contracted agricultural operator for an agrivoltaics plan.<sup>17</sup> Similarly, design details for integrating the agricultural operations into the solar facility are contingent on the final engineering of the project. While these details are essential for the success of an agrivoltaics plan, it is not reasonable to expect that these details would be fully formed at the time of filing an application with the AUC.

23. As these details are eventually important, the Commission requires PACE to update its agrivoltaics plan once equipment and project layouts are finalized during the final project update process. Specifically, the Commission expects this update will provide a refinement of the operational details needed in the agrivoltaics plan and identify the operator who will be executing the plan. No economic information is required.

24. The Commission understands that PACE has submitted a final project layout and equipment specifications. However, given the reporting conditions imposed in this decision, the Commission will nevertheless require PACE to file a final project update:

- a. Once 2518365 Alberta Ltd. has finalized its equipment selection and project layout, it must file a final project update with the Commission to confirm that the project has stayed within the final project update allowances for solar power plants. The final project update must be filed at least 90 days prior to the start of construction.

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<sup>15</sup> See *Hydro and Electric Energy Act*, Section 19(1); *Alberta Utilities Commission Act*, Section 8.

<sup>16</sup> Exhibit 28643-X0094, Circle Consulting. PACE Killam Solar Power Project. Assessment of Weed, Vegetation, Pest, Soil.

<sup>17</sup> Exhibit 28643-X0094, Circle Consulting. PACE Killam Solar Power Project. Assessment of Weed, Vegetation, Pest, Soil, PDF page 8.

25. The Commission finds that PACE's agrivoltaics plan sufficiently addresses any agricultural impacts, subject to the following condition:

- b. As part of its final project update, 2518365 Alberta Ltd. must file an updated agrivoltaics plan that reflects the final project layout, incorporating the best available knowledge and best practices for initiating the agrivoltaics program. 2518365 Alberta Ltd. should also provide a refinement of the operational details of the plan and identify the operator who will execute the agrivoltaics plan.

26. The Commission cautions PACE that significant changes to the project layout may require the Commission to reconsider the agricultural impacts of the project due to these changes.

#### 4.2 Are the environmental impacts sufficiently minor and/or mitigable?

27. Within the public interest test, the Commission must evaluate if a project's environmental impacts are avoided, minimized or mitigated to the extent possible. The Commission considers efforts to avoid and minimize impacts, typically achieved during project siting, as the most effective measure for limiting environmental effects of a project. One manner that applicants may use to avoid and minimize impacts is by siting projects within municipal boundaries as this aligns a project with existing disturbances to the environment.

28. This opinion is also shared by Alberta Environment and Protected Areas (AEPA), who encourages the siting of solar projects within urban limits because urban solar projects have limited impact to wildlife and wildlife habitat, reduce the requirements for transmission infrastructure (i.e., additional disturbance) and reduce the development pressure in locations with higher quality wildlife habitat.<sup>18</sup> The Commission finds that the project's siting within the Town of Killam is aligned with these goals.

29. Even though a project is sited within a municipal boundary, there are still opportunities to further reduce the environmental impacts of a project. For projects within municipal boundaries, AEPA supports projects to implement the standards and best management practices as outlined in the *Wildlife Directive* to the extent possible during construction and operation of the Project.<sup>19</sup> The Commission recognizes that the applicability of the *Wildlife Directive* to be optional and any compliance by PACE with the standards and best management practices exceeds what PACE is required to do.<sup>20</sup>

30. For these reasons, the Commission considers that the project is adequately sited to reduce environmental impacts to a reasonable degree, and that compliance with the *Wildlife Directive* standards and best management practices further mitigates those impacts.

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<sup>18</sup> Exhibit 28643-X0013, EP-FWS Wildlife Directives Waiver Letter.

<sup>19</sup> Exhibit 28643-X0013, EP-FWS Wildlife Directives Waiver Letter.

<sup>20</sup> Exhibit 28643-X0013, EP-FWS Wildlife Directives Waiver Letter.

### 4.3 Will the project cause glare impacts?

31. PACE retained Green Cat Renewables Corporation (GCR) to complete a solar glare assessment for the project. GCR assessed glare levels at a number of receptors near the project and predicted that:

- Among dwelling receptors, the most affected dwelling was predicted to receive up to 972 minutes of green glare and 197 minutes of yellow glare per year.<sup>21</sup>
- Among route receptors, Highway 13 was predicted to receive up to 1,020 minutes of green glare and 162 minutes of yellow glare per year. A railway was predicted to receive up to 927 minutes of green glare and 410 minutes of yellow glare per year.

32. One of the flight paths at the Killam Health Care Centre Heliport was predicted to receive up to 226 minutes of green glare and 350 minutes of yellow glare per year.

33. GCR suggested that glare from the project is expected to be minimal throughout the year and is not expected to have an adverse effect on a resident's use of their home or a pilot's ability to land an aircraft. GCR also noted the conservative nature of the solar glare assessment as its models assumed sunny and clear weather, an extended visual range for vehicle routes and horizontal viewing angle for airplane pilots and more panel coverage than proposed. The models also did not consider obstructions that block glare.

34. PACE committed to implement a resting angle of three degrees or steeper, which will eliminate glare at all assessed ground transportation routes.<sup>22</sup> PACE also committed to implement a resting angle of four degrees or steeper to mitigate glare at dwellings.<sup>23</sup> The Commission considers that the implementation of resting angle limits will be an effective mitigation measure to eliminate or mitigate potential glare at transportation routes and dwellings. Therefore, the Commission imposes the following condition of approval:

- c. 2518365 Alberta Ltd. shall configure the project solar panels using a resting angle greater than or equal to four degrees during the backtracking operation.

35. The solar glare assessment predicted glare at one flight path at the Killam Health Care Centre Heliport but did not determine a minimum resting angle or describe potential mitigation measures to eliminate or mitigate the glare. The Commission requires PACE to determine whether adjusting the project's resting angle will also reduce or eliminate glare at the Killam Health Care Centre Heliport, and imposes the following condition:

- d. As part of its final project update, 2518365 Alberta Ltd. shall determine whether there is an optimum resting angle that will reduce or eliminate glare to the extent possible at all receptors, including roads, residences and flight paths at the Killam Health Care Centre Heliport. If there is an optimum resting angle, 2518365 Alberta Ltd. shall file an updated solar glare assessment and implement it in its project.

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<sup>21</sup> The solar glare assessment used colour codes to categorize effects of glare to a person's eyes.

- 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.

<sup>22</sup> Exhibit 28643-X0030, Solar Glare Hazard Assessment 2023.12.11, PDF page 24.

<sup>23</sup> Exhibit 28643-X0058.01, 28643\_X0048\_28643 Response to IR 1, PDF page 3.

36. The Commission requires PACE to promptly address any concerns or complaints regarding glare from the project's operation and implement mitigation measures where necessary. Therefore, the Commission imposes the following condition of approval:

- e. 2518365 Alberta 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 2518365 Alberta Ltd.'s response to the complaints or concerns. 2518365 Alberta Ltd. shall file this report no later than 13 months after the project becomes operational.

37. The Commission notes that predictions in the solar glare assessment were premised upon the use of solar panels with anti-reflective coating. Therefore, the Commission imposes the following condition of approval:

- f. 2518365 Alberta Ltd. shall use solar panels with anti-reflective coating for the project.

38. Given the conservative nature of the glare assessment, PACE's commitments to reduce or eliminate/mitigate glare caused by the project, and the conditions above, the Commission is satisfied that potential glare caused by the project will be adequately mitigated.

#### **4.4 Is the project's reclamation security plan adequate?**

39. PACE retained SUNSET Renewable Asset Management Inc. to prepare a solar facility end-of-life reclamation evaluation for the project. The evaluation anticipated reclamation costs of \$2,606,420, a reclamation revenue of \$1,947,943 and net reclamation costs of \$658,477.

40. The Commission finds that an aspect of PACE's approach to reclamation security does not adequately ensure funds will be available at the project's end of life. Specifically, the Commission is concerned that the third-party estimate is not conservative enough, as it projects the salvage value to cover most of the reclamation costs. In fact, the estimated salvage value accounts for 75 per cent of the reclamation costs.<sup>24</sup>

41. The salvage value is dependent on the market value for the power plant components at an uncertain date well into the future. PACE was not willing to commit to using 50 per cent of the estimated salvage value in its cost estimates, stating that it had already assumed a conservative reclamation value of 20 per cent in its decommissioning cost calculations and that commodity prices associated with solar projects have historically increased over a 30-year period, which should result in further reductions in salvage costs in the future.<sup>25</sup> The Commission does not consider it sufficiently certain that the equipment will retain its commercial value, and therefore it is not prudent to allow 75 per cent of the reclamation cost to be based on a prospective and uncertain salvage value. The Commission's understanding is that the Government of Alberta will put a regime in place to require security be provided directly to a government agency, or there could be a negotiated security regime with hosting landowners if sufficient evidence is provided to the AUC. Should PACE not be subject to the Government of Alberta's regime, the Commission requires an updated third-party estimate that uses no more than 50 per cent of the

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<sup>24</sup> Exhibit 28643-X0055, Old Bear Reclamation Report, page 3. The anticipated resale and recycling revenue is \$1,947,943 while the estimated total reclamation cost is \$2,606,420.

<sup>25</sup> Exhibit 28643-X0088, 2024-09-13 Response from PACE to AUC IR2, PDF page 11.

\$1,947,943 estimated salvage value in the overall net reclamation cost estimate. Accordingly, the Commission imposes the following condition of approval:

- g. At least 60 days prior to the start of construction, 2518365 Alberta Ltd. shall submit an updated third-party reclamation cost estimate report that uses no more than 50 per cent of the estimated salvage value in the overall reclamation cost estimate. If the Government of Alberta's security regime is in place at that point, 2518365 Alberta Ltd. may alternatively file a letter confirming 2518365 Alberta Ltd. will be providing reclamation security directly to the Government of Alberta.

42. Other aspects of PACE's reclamation security plan include an irrevocable letter of credit with the hosting landowner as the beneficiary, posting of the letter of credit within 60 days following substantial completion of construction and re-evaluation of the decommissioning cost every five years from the date of operation. Given this and the condition imposed above, the Commission finds that PACE's approach to reclamation is sufficient for the purposes of satisfying the Commission that approval of the project is in the public interest.

#### **4.5 What were the other concerns considered in this proceeding?**

43. As GCR submitted a noise impact assessment for the project, which predicted that the project will meet Rule 012 requirements, the Commission finds that the project's noise impact assessment complies with Rule 012.

44. PACE conducted a participant involvement program, which included notification of all landowners within 800 metres of the project boundary and personal consultation with all stakeholders within 400 metres of the project boundary. The Commission is satisfied that PACE, through its participant involvement program and during the Commission's process, has met the notification and consultation requirements in Rule 007.

45. The Commission acknowledges FortisAlberta's confirmation that it is willing to connect the project to its distribution system.

#### **4.6 What are the benefits associated with the project?**

46. PACE stated that the project will benefit the local community and economy by generating approximately 100 to 150 temporary construction jobs and two to three full-time operation and maintenance jobs over the life of the project.<sup>26</sup> The project will also generate significant contributions to the municipal tax base per annum, create non-traditional income for struggling farmers, and support energy self-reliance. Environmental benefits of the project will include the reduction of 21,154 tonnes of carbon emissions every year totalling 550,661 tonnes over the lifetime of the project.

#### **4.7 Is approval of the project in the public interest?**

47. For the reasons outlined above and subject to the conditions that form part of this decision as set out above, the Commission finds that PACE has satisfied the requirements of Rule 007 and Rule 012 and that, in accordance with Section 17 of the *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. In addition,

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<sup>26</sup> Exhibit 28643-X0021, Presentation April 20 2023, PDF pages 13 and 14.

PACE has met the information requirements for a connection order and so the Commission approves the interconnection.

## 5 Decision

48. Pursuant to sections 11 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 28643-A001 and grants 2518365 Alberta Ltd. the approval set out in Appendix 1 – Power Plant Approval 28643-D02-2025 to construct and operate the Killam (Old Bear) Solar Farm Power Plant.

49. Pursuant to sections 18 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 28643-A001 and grants 2518365 Alberta Ltd. the approval set out in Appendix 2 – Connection Order 28643-D03-2025 to connect the Killam (Old Bear) Solar Farm to the FortisAlberta Inc. distribution system.

50. The appendixes will be distributed separately.

Dated on February 20, 2025.

### Alberta Utilities Commission

*(original signed by)*

Douglas A. Larder, KC  
Vice-Chair

*(original signed by)*

Doug Hawkins  
Acting Commission Member

**Appendix A – Proceeding participants**

<b>Name of organization (abbreviation) Company name of counsel or representative</b>
<b>DLA Piper (Canada) LLP</b> Marlé Riley  <b>PACE Canada Development LP, on behalf of 2518365 Alberta Ltd.</b> Rhonda Barron
<b>Brownlee LLP</b> Brendan Dzioba Jeneanne Grundberg  <b>Town of Killam</b> Kim Borgel
<b>Kari Fox-Newby</b>
<b>Kathryn Fee</b>
<b>Ann Fee</b>
<b>Cheryl Holben</b>

<b>Alberta Utilities Commission</b>  <b>Commission panel</b> Douglas A. Larder, KC, Vice-Chair Doug Hawkins, Acting Commission Member  <b>Commission staff</b> Shannon Ramdin (Commission counsel) Alyssa Marshall (Commission counsel) Kloria Wen Derek Rennie Joan Yu
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## Appendix B – 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 28643-D01-2025 that require subsequent filings with the Commission and will be included as conditions of Power Plant Approval 28643-D02-2025:

- a. Once 2518365 Alberta Ltd. has finalized its equipment selection and project layout, it must file a final project update with the Commission to confirm that the project has stayed within the final project update allowances for solar power plants. The final project update must be filed at least 90 days prior to the start of construction.
- b. As part of its final project update, 2518365 Alberta Ltd. must file an updated agrivoltaics plan that reflects the final project layout, incorporating the best available knowledge and best practices for initiating the agrivoltaics program. 2518365 Alberta Ltd. should also provide a refinement of the operational details of the plan and identify the operator who will execute the agrivoltaics plan.
- d. As part of its final project update, 2518365 Alberta Ltd. shall determine whether there is an optimum resting angle that will reduce or eliminate glare to the extent possible at all receptors, including roads, residences and flight paths at the Killam Health Care Centre Heliport. If there is an optimum resting angle, 2518365 Alberta Ltd. shall file an updated solar glare assessment and implement it in its project.
- g. At least 60 days prior to the start of construction, 2518365 Alberta Ltd. shall submit an updated third-party reclamation cost estimate report that uses no more than 50 per cent of the estimated salvage value in the overall reclamation cost estimate. If the Government of Alberta's security regime is in place at that point, 2518365 Alberta Ltd. may alternatively file a letter confirming 2518365 Alberta Ltd. will be providing reclamation security directly to the Government of Alberta.

The following are conditions of Decision 28643-D01-2025 that may or do not require a subsequent filing with the Commission:

- c. 2518365 Alberta Ltd. shall configure the project solar panels using a resting angle greater than or equal to four degrees during the backtracking operation.
- e. 2518365 Alberta 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 2518365 Alberta Ltd.'s response to the complaints or concerns. 2518365 Alberta Ltd. shall file this report no later than 13 months after the project becomes operational.
- f. 2518365 Alberta Ltd. shall use solar panels with anti-reflective coating for the project.