

Memo

To: Mayor and Council
From: Faye Flatt, Municipal Planner
Date: 19 June 2014
Subject: Copperlight LP (formerly SkyPower Limited – Amended and Restated Option Agreement – 1003 Frog Creek Rd



Municipal Planner
Memo #2014-08

In June of 2010 Council entered into an Option to Purchase agreement with SkyPower Limited, now Copperlight LP for a portion of the town owned property noted above. The proposal was to develop a solar energy farm. The original closing date was June 30, 2011 but allowed for extensions. In early 2012 because SkyPower did not receive approvals necessary from the Ontario Power Authority (OPA) in time to exercise the purchase option, the agreement was amended and the Town entered into an Option to Lease Agreement. For this the Town was paid \$5100 for considering the amendment plus an additional \$8800 for finalizing it. The next two years saw annual extensions with the Town being paid \$8800 in each year. June 30, 2014 is the last extension opportunity and if not extended, will terminate.

Recent discussions with SkyPower indicates a desire of its part to get another extension but with extensions based to coincide with the RFP submissions and contract awarding by OPA instead of annually as they have been.

I was recently advised by the CEO of the Fort Frances Power Corporation (FFPC) that it will be submitting an application for an extension of its service area. This expansion may impact whether or not the Town wishes to continue the relationship with SkyPower. Mr. Ruppenstein was unable to attend the PDEC meeting as he was out of Town.

Notwithstanding the June 30th deadline, PDEC has tabled this matter pending further opportunity to fully analyze the proposed agreement and the implications on the Town both in regards to future possibilities within the organization or otherwise including input from FFPC.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Faye Flatt', written over a horizontal line.

F. Flatt, AMCT, ACST, CPT
Municipal Planner

COUNCIL APPROVAL OF THIS REPORT: is not required as is provided for information purposes only.

