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16-July, 2021

Mr. Richard Buchan, Chair  
Yukon Utilities Board  
Box 31728 Whitehorse, Yukon Y1A 6L3

Re: YEC 2021 General Rate Application - Motions for Further Disclosure- NY Reply

Dear Mr. Buchan and Board Members:

Below are my replies to YEC's responses of 12-July to my motion for further response of 23-April, 2021.

#### **NY-YEC-1-7**

The original request was for YEC to provide modifications that have been made to the Faro diesel plant since the 2014 YESAB assessment, and to provide the details and dates of any and all changes/ modifications to the Faro plant.

NY asserts in the motion that "YEC fails to list the 7 rental generators", and requests that a correction or clarification be provided.

#### ***Yukon Energy Response***

The IR requested that YEC provide "modifications have been made to the Faro diesel plant since the 2014 YESAB assessment." The Faro rental diesels are not YEC assets and are not part of Faro plant ratebase.

The infrastructure required for the diesel rental units is reviewed in detail in Section 5.2.1.2 of the Application [N-1 Capacity Shortage Faro Thermal Rental Site Infrastructure].

#### **NY Reply**

In requesting a list of modifications to the Faro generating station, ownership status and ratebase are not relevant, but can be noted as part of the response if YEC prefers.

YEC's initial response was:

<b>S/N</b>	<b>Modification</b>	<b>Date</b>
1	Moved FD5 Dawson	2014
2	FD0 plant RTU replacement	2017
3	Heating system UG leak replacement (FD7 to FD1)	2017
4	Faro plant repairs	2016

and the revised answer is understood to be the following:

<b>S/N</b>	<b>Modification</b>	<b>Date</b>
1	Moved FD5 Dawson	2014
2	FD0 plant RTU replacement	2017
3	Heating system UG leak replacement (FD7 to FD1)	2017
4	Faro plant repairs	2016
5	Added seven rental generators (of 1.8MW each) (though YEC notes that “the Faro rental diesels are not YEC assets and are not part of Faro plant ratebase”)	2020
6	Added The infrastructure required for the diesel rental units reviewed in detail in Section 5.2.1.2 of the Application [N-1 Capacity Shortage Faro Thermal Rental Site Infrastructure].	2020

If YEC agrees that this is what was meant, the answer is acceptable.

#### **NY-YEC-1-6**

The original request was to provide the stacking order for all thermal generation, YEC owned and rentals for each site and for the integrated system.

NY notes in the motion that in the stacking order provided, YEC lists all 7 Faro rental diesels, and the installed FD1 and FD7 generators, and that this adds up to 18.4 MW, while the most recent (2014/Current) YESAB shows only FD1 and FD7 for 8.15 MW. NY requests clarification regarding how all the Faro capacity noted can be in the stacking order.

#### **Yukon Energy Response**

For clarification it is noted that the Faro rental units are at the Faro site and are included in the formal stacking order; however, YEC can only run up to 10.6 MW of generation at Faro at any one time under its existing permits.

#### **NY Reply**

In this response, YEC acknowledges that the theoretical “formal stacking order” provided in response to the IR will never actually be used, due to a 10.6 MW generation limit at the Faro facility.

Please provide the *actual* stacking order, given the 10.6MW limit, or the 8.15MW limit from the most recent 2014 YESAB (2014-0119) as requested.

### **NY-YEC-1-8(a) Attachment 1**

NY notes that in the information request YEC was asked to provide any and all correspondence with regulators regarding the rental diesels, and notes the earliest document provided is a response to YEC, “so clearly not all correspondence was included”. NY requests that YEC provide complete correspondence as requested, including attachments referenced in emails.

### **Yukon Energy Response**

The correspondence provided as NY-YEC-1-8(a) Attachment 1 is the complete correspondence. YEC will typically provide a verbal update to regulators prior to providing a formal submission in order to confirm any requirements. The email dated September 23, 2020 from Elizabeth Barker to Travis Ritchie likely followed a verbal update provided by Mr. Ritchie to Ms. Barker regarding the then forthcoming diesel permit amendment.

### **NY Reply**

YEC is refusing to provide the requested correspondence, specifically the AEP 60-010 amendment application submitted on or before 23-September, 2020 and perhaps other correspondence or applications.

The text of the email dated September 23, 2020 from Elizabeth Barker to Travis Ritchie *is in italics below*, [with emphasis and notes added]. It is very difficult to believe that this is the first correspondence between YEC and the regulator.

*Good Afternoon Travis, According to the Assessable Activities Regulation under YESAA, Part 4, Item 2 (b) applies to your AEP 60-010 amendment application.*

[Note: By claiming this email from Elizabeth Barker as the first correspondence and all previous was verbal, YEC is claiming that the application that Elizabeth Barker was referring to was a verbal application?]

The email continues:

*Specifically, the Faro generating station underwent a YESAA assessment in 2014. In the assessment, FD1 and FD7 were assessed with production capacities of 5.15MW and 3MW for a total of 8.15MW. Currently, FD1 and FD7 have been derated to 2.4MW and 2.8MW however, with the addition of YM20-22 (5.4MW) and the addition of the YM23-25(5.4MW) as emergency backup, this brings the station capacity to a total of 16MW. This is 7.85MW greater than the capacity that was previously assessed in 2014. As the modification of production capacity is greater than 50kW, this project will need to proceed through YESAB before we can issue any permit amendments. Please let me know if you would like to discuss this further.*

*Have a great day,*

*Liz*

[Note: By claiming that this is the first actual correspondence, YEC is claiming Travis Ritchie applied for the amendment, and gave specific information such as that about adding YM20-22 (5.4MW) and YM23-25 (5.4MW), etc. ONLY in a verbal update - and that the regulator remembered all of these details and more - and replied as though a written application had been filed, even referring to an application?]

AND in Travis Ritchie’s reply to this email on the next day, 24-September, 2020 he offers to re-submit the application. [with emphasis added]

Hi Elizabeth,  
Thanks for your reply.

...  
...

If you need, I can resubmit the amendment application for reinstallation of only the previously assessed capacity, removing reference to the 3 additional units (YM23-YM25). YEC can then work on getting a YESAA assessment completed for the additional capacity, which could be permitted afterward. Does that sound reasonable? If it's helpful to speak on the phone please let me know and I will call you at a convenient time.  
Thanks again.

Regards,  
Travis

If the YEC response is to be believed, Travis Ritchie is offering to resubmit a verbal application? Clearly there was a written amendment application submitted previous to this email exchange on 23-24 September, and it should be provided as originally requested. YEC has provided 24 pages of the application resubmitted on 28-Sept. The previous version submitted to Elizabeth Barker has not been provided.

The full emails referenced are included at the end of this document - as provided by YEC in the initial IR response. See *Notes: NY-YEC-1-8(a) Attachment 1*.

### **NY-YEC-1-8(c)(a) Attachment 2**

The information request was to provide YESAB assessment documentation relating to the rental generators. NY notes that YEC provided Record of Determination of Significant Change document for amendments to the Air Emission Permit for Whitehorse Rapids Generating Station, WRGS and requests this information for Faro Generating Station, FGS.

### **Yukon Energy Response**

There is not a Record of Determination of Significant Change document available for the Faro diesel plant at this time.

Please see the correspondence attached to YEC-NY-1-8(a) where the regulator determined a change to the existing permit was not required and YEC had the authorization to reinstall previously located/derated capacity of up to 10.6 MW at the Faro plant: "We have determined that the information provided in YEC's previous Faro station YESAA assessments (2008-0230 and 2011-0246) is still valid for the proposed 2020 amendment of reinstalling capacity of approximately 5.65MW at the Faro generating station. YEC has authorization to reinstall previously relocated/derated capacity of up to 10.6 MW, cumulative station capacity, without proceeding through the YESAA assessment process."

YEC is in the process of completing its assessment in order to submit a Project Proposal to YESAB for the addition of up to 4.9 MW of additional capacity at the Faro Plant. After that assessment is complete and a Decision Document is issued YEC would then seek a permit amendment from the regulator to allow a facility operating/ generation capacity cap of 15.5. MW.

### **NY Reply**

I was under the impression that since the 2014 YESAA (2014-0119) was most recent on the topic – and as it was used for the 2014 to 2024 license, it would be applicable in 2020. It is curious that the 2008 and 2011 YESAA (used for the 2008 and 2011 permits) are now somehow “still valid,” where they were considered expired and not valid in 2014, necessitating the 2014 YESAB assessment.

The 2014 YESAB (submitted for YEC by Travis Ritchie) includes the text: “The temporal scope of the assessment is for 10 years.”

The 2008 and 2011 YESAA assessments (also submitted by Travis Ritchie) were for 3 year permit terms, and make no attempt or claim to be relevant past 2011 and 2014 respectively.

The 2011 assessment includes a study that “takes into account projected increased power demand in the Yukon through to 2014...” and “reflects the Yukon Ambient Air Quality Standards adopted by the Yukon Government in 2010, which were not yet in existence at the time of the 2008 assessment.”

And the 2008 assessment notes that “For the vast majority of the time, the diesel generators do not operate; this is not forecast to change during the 2009-2011 period.”

How are these still valid? Again, they were not considered valid in 2014, and YEC and Travis Ritchie were clearly aware of this when submitting a new application each time a permit expired. Was he aware of this when suggesting to the regulator that these expired documents were “still valid” in 2020?

NY accepts YEC’s response that there are no new YESAB documents, now understanding that YEC has chosen avoid this by using obsolete and expired assessments from 2008 and 2011 and is now operating according to 2008 and 2011 decision documents and corresponding limits and regulations rather than the 2014 assessment and decision document – or any other updated or current documents.

Noting that if the 2014 assessment were to be used (which I reasonably expected it would be), the addition of any rentals would be a modification and would require a YESAB assessment before the installation of the rentals. By using the expired documents with higher limits, no assessment is required. While this might be acceptable to the regulator (after YEC suggested it), it is definitely against the intent and objectives of YESAA.

YEC’s choosing to ignore/sidestep the most recent YESAA assessment does sufficiently explain why YEC cannot provide documents relating to it. However, allowing YEC (or anyone for that matter) to use expired permits and assessments in place of recent and current assessments in order to gain more favourable capacity limits, is perhaps a dangerous precedent? (I realize that this question is outside of the original scope, but clearly follows from YEC’s actions and response.)

#### **NY-YEC-1-8(d)**

The information request was to provide “compliance documents, decision documents and permits” for the addition of the rental generators.

NY notes that it asked for compliance documents, decision documents and permits for the rental diesels, and YEC has replied that there are none, while the incomplete email chain provided in NY-YEC-1-8 (a) includes an “Application for approval to install previously relocated and derated generating capacity” from YEC. NY requests clarification regarding whether there is a document approving (or denying) the application; and an explanation regarding why it was not provided.

### ***Yukon Energy Response***

Please see NY-YEC-1-8(a) Attachment 1, page 1 wherein the regulator notes as follows [emphasis added]:

We have determined that the information provided in YEC’s previous Faro station YESAA assessments (2008-0230 and 2011-0246) is still valid for the proposed 2020 amendment of reinstalling capacity of approximately 5.65MW at the Faro generating station. YEC has authorization to reinstall previously relocated/de-rated capacity of up to 10.6MW, cumulative station capacity, without proceeding through the YESAA assessment process. As discussed, any additional capacity increase that will bring the Faro station’s cumulative capacity above 10.6MW will need to proceed through the YESAA assessment process before being considered. As this amendment doesn’t change the content of your current Air Emissions Permit 60-010, we will not be issuing an amended permit and you may continue to use permit 60-010 as is.

As noted in the IR response, rental diesels at Faro currently can be operated up to an operating cap of 10.6 MW and no YESAA assessment is required for that purpose as the previous YESAA assessment of the facility and the associated Decision Documents allow for this operational cap at the site under YEC’s existing air emissions permit. The regulator confirmed that it would not be issuing an amended permit.

YEC is in the process of completing its assessment in order to submit a Project Proposal to YESAB for the addition of up to 4.9 MW of additional capacity at the Faro Plant. After that assessment is complete and a Decision Document is issued YEC would then seek a permit amendment from the regulator to allow a facility operating/ generation capacity cap of 15.5. MW.

### **NY Reply**

Yes, again accepted that there are no new documents, as YEC is using Faro station YESAA assessments (2008-0230 and 2011-0246) which were for permits that expired in 2011 and 2014 respectively (and yet are claimed “still valid,”) and that these documents should be referenced rather than the more recent/current (2014-0119) YESAA assessment.

### **NY-YEC-1-9**

The question asked whether YEC has support of the Ross River Dena Council for the modifications to the plant and to provide documentation of any consultation and interaction with the RRDC concerning the Faro plant.

NY’s motion on this IR notes that the reply “does not document any specific interaction or specific attempts at interaction with RRDC, and therefore does not satisfy the request”. NY requests that YEC “provide dates and specifics of all interaction or attempted interaction with RRDC.”

### ***Yukon Energy Response***

The request was to provide documentation of any consultation and interaction with RRDC concerning the Faro plant.

The response provided noted that YEC had “contacted representatives of the Dena Nezzidi Limited Partnership (designate for the Ross River Dena Council) at least nine times by email and phone to share information about the Faro rental diesel project and procurement opportunities, and to request a meeting with Ross River Dena Council to discuss the project”, and “As of February 9, 2021, representatives of the Dena Nezzidi Limited Partnership have not provided Yukon Energy with a date and time for the requested meeting with Ross River Dena Council to discuss the specific Faro rental diesel project and YESAA project proposal.”

The response also noted that a Dena Nezzidi Limited Partnership representative attended Yukon Energy’s December 2, 2020 public information meeting. Copies of the presentation and a summary of the discussion was provided to them following the meeting.

In summary, Yukon Energy’s response to NY-YEC-1-9 was fully responsive to the question posed.

### **NY Reply**

YEC’s response still “does not document specific interaction or specific attempts at interaction with RRDC, and therefore does not satisfy the request”. Additionally the response does not “provide dates and specifics of all interaction or attempted interaction with RRDC.”

YEC has repeated that it “contacted representatives ... at least nine times ... “

NY asks again, When and how did each of these nine attempts take place? Who specifically did YEC attempt to contact?

This is clearly requested in asking YEC to “provide documentation of any consultation and interaction with the RRDC concerning the Faro plant. “ YECs interaction with RRDC’s email and voicemail systems are interactions with part of RRDC.

Please provide the requested information.

### **NY-YEC-1-10(b) and (c)**

NY requested that YEC provide the project description that will be used for the upcoming YESAB assessment for the Faro site, and to explain the business case for applying for the air permit after the installation of infrastructure and the renting of the generators.

In its motion on this question NY states that the most recent YESAB (2014) which was used for the 2014-2024 permit lists FD1 and FD7, totaling 8.5MW, and requests: “Is there any valid documentation of approval of 10.6MW limit. Please provide”.

### **Yukon Energy Response**

NY-YEC-1-8(a) Attachment 1 provides email correspondence from the Department of Environment to Travis Ritchie dated October 13, 2020, and notes as follows:

We have determined that the information provided in YEC's previous Faro station YESAA assessments (2008-0230 and 2011-0246) is still valid for the proposed 2020 amendment of reinstalling capacity of approximately 5.65MW at the Faro generating station. YEC has authorization to reinstall previously relocated/de-rated capacity of up to 10.6MW, cumulative station capacity, without proceeding through the YESAA assessment process. As discussed, any additional capacity increase that will bring the Faro station's cumulative capacity above 10.6MW will need to proceed through the YESAA assessment process before being considered.

As this amendment doesn't change the content of your current Air Emissions Permit 60-010, we will not be issuing an amended permit and you may continue to use permit 60-010 as is.

The above fully responds to the NY motion on NY-YEC-1-10.

### **NY Reply**

Yes, it is now understood that in the application for the expanded air permit, YEC is using the production capacity totals from the expired 2008 and 2011 YESAA assessments. YEC will be ignoring the capacity totals from the current 2014 YESAA (2014-0119) and also not mentioning the existence of the 2014 YESAA (2014-0119) - as it contradicts the expired documents, with the higher production capacity limits preferable to YEC being in the expired documents.

A recent flier distributed to Faro residents announcing the upcoming assessment confirms this, implying that the Faro plant has always had a permitted and actual capacity of 10.6MW, and using the terms "permanent engines" to mean the combination of the installed generators and half of the rentals.

### **NY-YEC-1-10(f)**

NY-YEC-1-10(f) requests that YEC discuss how "this approach relates to social license for stakeholders (RRDC and Faro residents). It is assumed the question is referencing to part (e) which asks YEC to discuss the risks and potential financial impacts of building a project before applying for a required YESAB assessment.

NY asserts in the motion on this IR that the response provided does not address social license for RRDC or Faro, which was the question.

### **Yukon Energy Response**

The question was responded to fully by YEC.

YEC's response to part (e) noted that the risks were deemed to be minimal and tolerable when compared to the very serious health, safety and numerous other relevant implications of not being able to meet customer demand for electricity in the case of an emergency in the cold and darkness of winter in Yukon.



The response to (f) noted that Yukon Energy takes its responsibility to provide safe, reliable and affordable and environmental responsible electricity very seriously, and “in the context of operational requirements driving the emerging need for the Project and the consequences of not being in a position to meet that need in an emergency it was determined that interested and potentially affected governments, and communities would best served by YEC advancing project planning,” and “on balance, it was assessed that reasonable societal expectations of the Corporation would be met by such an approach given the circumstances and the low likelihood of potentially significant adverse effects of such actions.”

### **NY Reply**

Accepted that YEC does not claim that this approach has any specific social license for RRDC and Faro residents – other than as customers – and being the ones accepting the risks.

### **NY-YEC-1-13(a)**

NY asserts that the study provided in response to this IR is not the one requested, noting that the request was “for the study referenced by Travis Ritchie of YEC on 2-Dec, 2020 in the meeting with community”.

NY asserts that the study provided is dated more than two months after the meeting, so could not have been the one that was cited, and that it does not address “all the rentals” vs the “permanent generators” as stated by Travis Ritchie. NY requests clarification on whether the report exists, and for YEC to provide the sound study that YEC referenced in the public meeting.

### ***Yukon Energy Response***

There is no separate study or report regarding T. Ritchie’s referenced comment on December 2, 2020.

The referenced comment by T. Ritchie on December 2, 2020 was to an assessment that was then being undertaken. The results of the assessment were formalized in the final study document provided as Attachment 1 to NY-YEC-1-13(a). This is the study referenced on December 2, 2020.

### **NY Reply**

YEC was requested to provide the sound study that was cited at the public/virtual meeting on December 2, 2020. The study provided in response to the IR was a version dated February 12, 2021, months after the meeting.

YEC now states that T Ritchie was citing results of an unfinished (or not formalized) study on a somewhat different topic. Please provide the version of the report that T. Ritchie was citing on December 2, 2020 as requested.

And if this was in fact the same study, Travis Ritchie and YEC were knowingly deceptive to the public in stating that the study was, as Travis said, “all the rentals” vs the “permanent generators.” YEC also deceptively referred to this as “Existing Site” on the distributed handout.

At no time in the presentation was it explained that “permanent generators” and “existing site” should be interpreted as 10.6MW, a configuration NOT installed, NOT present and NOT permitted in Faro since 2014. So by “existing site,” YEC meant “existing generators AND generators that have not existed here or been assessed here since 2014,” and likewise when Travis Ritchie said “permanent generators” he meant “the configuration of generators that has not been here since 2014, but was in place from 2008-2014.” No members of the public would reasonably expect “existing” or “permanent” to mean “what has not existed since 2014.” This was only revealed when I was able to review the actual report.

From the handout given to the public:

BC Noise Control Best Practices Guideline – permissible  
sound level at nearest receptor\*: 58 dB

Existing Site	With Rentals
58 dB	<1 dB change

While it is accepted that a report with the criteria stated at the public meeting does not exist, a copy of whatever had been received and was being cited at the meeting on 2-December, 2020 would satisfy the request.

**NY-YEC-1-13(c)**

The original question requested the most recent air quality assessment and dispersion study for the Faro site, and to explain how this will be affected by the addition of the rentals.

NY notes in the motion on this IR that YEC was asked to explain/discuss how the rentals would affect the air dispersion modelling; and asserts that the document provided uses the installed generators and 3 rentals as a baseline, and discusses the effect of adding three more rentals, and does not answer the original request.

**Yukon Energy Response**

The information request was to provide the most recent air quality assessment and dispersion study. This was provided in Attachment 1 to NY-YEC-1- 13(c) (dated December 17, 2020).

The study provided assessed two scenarios:

1. Existing Permitted Emission Capacity Scenario (10.6 MW) (10.6 MW is the current permitted capacity for the Faro site).
2. Future Expanded Emission Capacity Scenario (16 MW) (including consideration of the additional capacity over the 10.6 MW that is currently permitted).<sup>1</sup>

NY’s subsequent request noted in the motion above is for a separate assessment of FD1 and FD7 compared to the additional capacity up to 10.6 MW. This separate assessment was not undertaken or included in the attached study – the focus of the study was on the two scenarios noted above. In response to the motion, YEC can note that the use of new and more efficient diesel rental units to supply generation up to the current 10.6 MW limit would result in less emissions than use of older and less efficient diesel generation units.

**NY Reply**

Understood that again, YEC is only studying scenarios in which the most recent 2014 YESAA (2014-0119) does not exist, so the requested document does not exist.

A flier YEC recently distributed to Faro residents states “When we added the rental units last winter, we also modelled what air emissions would be like with the addition of the rentals...” Again, this is not true, as the the study models the installed generators FD1 and FD7 AND three of the rentals vs FD1 and FD7 and six of the rentals.

**NY-YEC-1-2(c)**

NY-YEC-1-2(c) requested peak loads by month (non-industrial and integrated system separately), approved, actual and forecast for 2017 to 2021.

NY notes in its motion on this IR that YEC’s response was that this data is not forecast by month. NY requests that YEC provide the other data requested even if the forecast is not available.

***Yukon Energy Response***

Peak loads are recorded as the maximum load experienced in each winter (not by month). The original IR response cross-referenced to CW-YEC-1-1(a) which provides forecast and actual non-industrial and the industrial peaks for 2018/19 to 2021/22 winters.

**NY Reply**

This seems to be an acceptable response.

If you have any questions or anything needs clarification, please contact me.  
Thanks,  
-Nathaniel

**Notes:NY-YEC-1-8(a) Attachment 1 (taken from YEC reply to NY IRs)**

In response to a request for any and all applications and correspondence with regulator(s) regarding rental diesels, YEC claims that this is the first correspondence – and that there was no written application preceding this email – and that this email was in reply to a “verbal update.” So when Elizabeth Baker refers to an “amendment application” she actually meant “verbal update?” Hmm.... On a side note, she also points out that a YESAB assessment is needed if the 2014 assessment is considered.

**From:** [Elizabeth.Barker@gov.yk.ca](mailto:Elizabeth.Barker@gov.yk.ca) [mailto:[Elizabeth.Barker@gov.yk.ca](mailto:Elizabeth.Barker@gov.yk.ca)]

**Sent:** September 23, 2020 5:03 PM

**To:** Travis Ritchie <[Travis.Ritchie@yec.yk.ca](mailto:Travis.Ritchie@yec.yk.ca)>

**Subject:** AEP 60-010 Amendment

Good Afternoon Travis,

According to the Assessable Activities Regulation under YESAA, Part 4, Item 2 (b) applies to your AEP 60-010 amendment application.

**PART 4**

### Energy and Telecommunications

Item	Activity	Specific Exception
1	Construction, installation, operation, modification, decommissioning or abandonment of, or other activity in relation to, a power line or a telecommunications line	
2	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, <ul style="list-style-type: none"><li>• (a) a hydroelectric generating station;</li><li>• (b) a fossil fuel-fired electrical generating station;</li><li>• (c) a wind-powered electrical generating station;</li><li>• (d) a wood-fired electrical generating station; or</li><li>• (e) a wood-fuelled heating facility for the commercial sale of heat</li></ul>	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a wind-powered electrical generating station if its production capacity is, and in the case of a modification remains, 50 kW or less

Specifically, the Faro generating station underwent a YESAA assessment in 2014. In the assessment, FD1 and FD7 were assessed with production capacities of 5.15MW and 3MW for a total of 8.15MW.

Currently, FD1 and FD7 have been derated to 2.4MW and 2.8MW however, with the addition of YM20-22 (5.4MW) and the addition of the YM23-25(5.4MW) as emergency backup, this brings the station capacity to a total of 16MW. This is 7.85MW greater than the capacity that was previously assessed in 2014. As the modification of production capacity is greater than 50kW, this project will need to proceed through YESAB before we can issue any permit amendments.

Please let me know if you would like to discuss this further.

Have a great day,

Liz

And on the following page, in Travis Ritchie’s reply, he notes that he can resubmit the application with specific changes. And so when he states “I can resubmit the amendment application” he is also referring to a “verbal update?” In YEC speak “amendment application” is interchangeable with “verbal update?” Or was there actually a written amendment application submitted? On a side note, it is in this email that he suggests using the expired 2008 and 2011 decision documents that were considered expired (and no longer valid) in 2014.

**From:** Travis Ritchie <[Travis.Ritchie@yec.yk.ca](mailto:Travis.Ritchie@yec.yk.ca)>  
**Sent:** September 24, 2020 10:06 AM  
**To:** Elizabeth.Barker <[Elizabeth.Barker@gov.yk.ca](mailto:Elizabeth.Barker@gov.yk.ca)>  
**Subject:** RE: AEP 60-010 Amendment  
**Importance:** High

Hi Elizabeth,

Thanks for your reply.

Given that the facility was assessed favourably under YESAA in both 2008 and 2011, prior to relocating units FD3 (1 MW) and FD5 (1.4 MW) and there have been no other changes to the facility since 2008, I was anticipating that either Decision Document 2008.0230 or 2011.0246 were technically still valid for the purposes of granting an approval to at least reinstall both the relocated and de-rated generating capacity at the site. Those were the only changes to the facility during its last assessment, so the activities remain the same across all assessments. I understand the need to assess the additional capacity (beyond what has been assessed historically) before it can be permitted, but I would ask for approval to reinstall the previously relocated and de-rated capacity pursuant to the 2008/2011 assessment findings and related decision documents.

If you need, I can resubmit the amendment application for reinstallation of only the previously assessed capacity, removing reference to the 3 additional units (YM23-YM25). YEC can then work on getting a YESAA assessment completed for the additional capacity, which could be permitted afterward.

Does that sound reasonable? If it's helpful to speak on the phone please let me know and I will call you at a convenient time.

Thanks again.

Regards,

Travis

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