



MANITOBA ORDER IN COUNCIL

DATE: **March 18, 2010**

ORDER IN COUNCIL NO.: **00090 / 2010**

RECOMMENDED BY: **Minister responsible for The Manitoba Hydro Act**

ORDER

1. St. Joseph Windfarm Inc., and its successors and assigns, is authorized to supply power generated in the rural municipalities of Montcalm and Rhineland to Manitoba Hydro under a Power Purchase Agreement on such terms and conditions as St. Joseph Windfarm Inc and Manitoba Hydro agree.
2. This Order takes effect when the Power Purchase Agreement takes effect.

AUTHORITY

The Manitoba Hydro Act, C.C.S.M. c. H190, states:

Limitation on supplying of power

21(1) Notwithstanding any Act of the Legislature, or the charter of any corporation, or any contract or franchise entered into or granted, no person shall supply power in any municipality or in any locality in unorganized territory without first having obtained the approval of the Lieutenant Governor in Council so to do, unless, on June 18, 1940, that person was supplying power in that municipality or locality.

BACKGROUND

1. St. Joseph Windfarm Inc. and Manitoba Hydro have agreed that St. Joseph Windfarm Inc. will construct, maintain and operate a 138MW wind generated electrical energy project at St. Joseph, near Letellier, in southern Manitoba.
2. Manitoba Hydro has agreed to purchase power from St. Joseph Windfarm Inc. and its successors and assigns under a Power Purchase Agreement for a term of approximately 27 years.