



AECG Forty Mile Wind GP Corp.

**Forty Mile Wind Power Project Phase 2 Amendment
and Time Extension**

May 13, 2025

Alberta Utilities Commission

Decision 29947-D01-2025

AECG Forty Mile Wind GP Corp.

Forty Mile Wind Power Project Phase 2 Amendment and Time Extension

Proceeding 29947

Application 29947-A001

May 13, 2025

Published by the:

Alberta Utilities Commission

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The Commission may, no later than 60 days from the date of this decision and without notice, correct typographical, spelling and calculation errors and other similar types of errors and post the corrected decision on its website.

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1 Decision summary

1. In this decision, the Alberta Utilities Commission approves an application from AECG Forty Mile Wind GP Corp. for minor amendments and to extend the construction completion date of the Forty Mile Wind Power Project Phase 2.

2 Application

2. AECG, pursuant to Approval 27561-D07-2023¹ and Permit and Licence 27561-D08-2023,² has approval to construct and operate a 119.7-megawatt (MW) wind power plant and the Forty Mile 516S Substation, designated as the Forty Mile Wind Power Project Phase 2, within the County of Forty Mile No. 8, approximately five kilometres east of Bow Island.

3. AECG filed an application with the Commission for approval of amendments to Phase 2 of the project and to extend the construction completion date of the project from January 31, 2026, to July 31, 2027. The proposed amendments to the power plant include a change in turbine model, a decrease in total nameplate capacity, removal of one turbine and minor layout adjustments.

4. AECG stated that it is not requesting amendments to Phase 1 of the project and that construction of Phase 1 is near completion.

5. AECG is proposing to change the turbine model for Phase 2 of the project from the Nordex N155-5.7 to the Nordex N163-5.9. AECG stated that the change is required due to technological advancements as the manufacturer has discontinued production of the N155-5.7 turbine, which was phased out in June 2024.

6. The proposed turbine model has the same hub height as the previously approved model with a slightly larger rotor diameter and a higher rated capability. AECG stated that the cumulative rotor-swept area for Phase 2 will increase by 21,092 m² but the combined cumulative rotor-swept area for Phase 1 and Phase 2 with the new turbine model is a reduction over what Alberta Environment and Protected Areas (AEPA) reviewed in the renewable energy referral report, 1,573,749 m².³ AECG stated the amended rotor-swept area for Phase 2 will be 417,345 m² for a total project rotor-swept area (Phase 1 and Phase 2) of 1,341,926 m².⁴

¹ Power Plant Approval 27561-D07-2023, Proceeding 27561, Application 27561-A002, November 8, 2023.

² Substation Permit and Licence 27561-D08-2023, Proceeding 27561, Application 27561-A003, November 8, 2023.

³ Exhibit 22966-X0011, Attachment H Alberta Environment and Parks Referral Letter.

⁴ Exhibit 29947-X0018, AECG-AUC-2025APR11-001, Table 1, PDF page 4.

7. AECG is proposing to reduce the number of turbines in Phase 2 from 21 to 20 by removing Turbine 129, which results in a decrease of 1.7 MW to the total capability of Phase 2. Based on findings from the geotechnical program, AECG is proposing to relocate Turbine 91 by approximately 55 metres to the southwest of its approved location. No other turbine relocations are required. AECG stated that minor adjustments are required to the access roads and underground cabling, and is proposing the addition of a permanent meteorological tower. All layout adjustments to Phase 2 remain within the approved project boundary.

8. AECG stated that construction of the project is scheduled to commence in Q3 of 2025 with a commercial operations date in Q1 of 2027. AECG is requesting a construction completion date of July 31, 2027, for the power plant approval and substation permit and licence to align with the anticipated commercial operations date plus a six-month buffer for unforeseen delays. AECG stated that the Alberta Electric System Operator has been consulted regarding the revised schedule and no concerns have been identified.

9. Due to the nature of the application, a notice of application was not issued and, therefore, a hearing was not required as the Commission considered that its decision or order would not directly and adversely affect the rights of a person pursuant to Section 9 of the *Alberta Utilities Commission Act*.

3 Findings

10. For the reasons outlined below, the Commission finds that approval of the project amendment is in the public interest having regard to the social, economic, environmental and other effects of the project. The Commission considers the application to be in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*.

11. The Commission has reviewed the application and has determined that the information requirements specified in Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations, Hydro Developments and Gas Utility Pipelines* and Rule 012: *Noise Control* have been met.

12. AECG has provided information respecting the need, nature and duration of the requested time extension which supports its request for an extension, and the Commission approves a time extension to July 31, 2027, for the completion of the power plant and substation.

13. While the Commission finds that an extension is reasonable in this case, repeated time extension applications are contrary to an efficient and effective regulatory system. Any subsequent requests for a time extension will require compelling support that demonstrates the delay resulted from exceptional and/or unforeseeable circumstances. Extraordinary circumstances should be construed narrowly. An example of extraordinary circumstances would be that construction is substantially complete, but adverse weather conditions necessitate a short time extension.

14. AECG retained WSP Canada Inc. to evaluate the new turbine model and layout adjustments relating to key environmental considerations, and to complete an updated noise impact assessment and shadow flicker assessment.

15. The environmental survey data has been kept up to date with additional environmental surveys completed in 2024 for Phase 2 of the project. WSP considered this updated data in its evaluation of key environmental considerations. A WSP biologist reviewed the Phase 2 layout adjustments and turbine model change in comparison to the approved layout and determined that there are no changes that infringe on new wildlife habitat or wildlife features that require alteration of previously identified commitments and mitigations.

16. AECG provided a copy of the Phase 2 project update to AEPA and no concerns have been raised.

17. The Commission finds that the environmental impacts from the project have not increased after the change to the turbine model and layout adjustments. The amended Phase 2 layout results in a reduction of total direct disturbance to Class III and higher wetlands, with no change to potential impacts on native grassland habitat. While there is an increase in the rotor-swept area per turbine and overall in Phase 2 and a small increase (2.16 hectares) in area of permanent project footprint within the approved project boundary for Phase 2, the combined cumulative rotor-swept area for Phase 1 and Phase 2 remains below the value previously reviewed by AEPA in the renewable energy referral report for the project.

18. Given AECG's commitment to adhere to all applicable environmental standards and guidelines, the Commission is satisfied that the project amendment will not have significant adverse effects on the environment.

19. The updated noise impact assessment (NIA) for the project concluded that the cumulative noise levels at all receptors are predicted to remain compliant with the daytime and nighttime permissible sound levels as set out in Rule 012. The Commission accepts the conclusion in the updated NIA that noise from the amended project will comply with Rule 012.

20. The Commission accepts the conclusion in the updated shadow flicker assessment that the amended project remains under the recommended annual guidance for receptors and that there is minimal potential for shadow flicker effects from the amended project.

21. In February 2025, AECG provided a Phase 2 project update newsletter to relevant agencies, First Nations and industry stakeholders within 1,500 metres of the Phase 2 project boundary. The newsletter outlined the change in turbine model, the reduction in number of turbines, minor layout adjustments, the revised project schedule, updated results of the NIA and shadow flicker assessment, and a map of the amended project layout. For stakeholders within 800 metres of the Phase 2 project boundary, AECG stated that it conducted consultation to review the updates and has responded to all questions received by stakeholders. AECG stated that it is not aware of any unresolved concerns at this time and is committed to work with stakeholders should any concerns be raised in the future.

22. The Commission finds that AECG's participant involvement program satisfies the requirements of Rule 007.

4 Decision

23. Pursuant to sections 11, 14, 15 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 29947-A001 and grants AECG Forty Mile Wind GP Corp. the approvals set out in Appendix 1 – Power Plant Approval 29947-D02-2025 to construct and operate the Forty Mile Wind Power Project Phase 2 and in Appendix 2 – Substation Permit and Licence 29947-D02-2025 to construct and operate the Forty Mile 516S Substation.

24. The appendixes will be distributed separately.

Dated on May 13, 2025.

Alberta Utilities Commission

(original signed by)

Matthew Oliver, CD
Commission Member