



**EB-2012-0328**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S.O. 1998, c. 15, Schedule B;

**AND IN THE MATTER OF** an application pursuant to  
section 86(1)(b) of the *Ontario Energy Board Act*,  
1998 by Waterloo North Hydro Inc. seeking an order  
granting leave to sell distribution system assets to  
Loblaw Companies Limited.

By delegation, before: Adrian Pye

**DECISION AND ORDER**  
**August 23, 2012**

**THE APPLICATION**

Waterloo North Hydro Inc. ("Waterloo North") filed an application with the Ontario Energy Board on July 18, 2012 under section 86(1)(b) of the *Ontario Energy Board Act*, 1998 (the "Act") for a Board order granting Waterloo North leave to sell certain distribution system assets to Loblaw Companies Limited ("Loblaw").

The metering assets to be transferred to Loblaw are located at two locations in Waterloo, Ontario and consist of the following:

- one meter cabinet, one test block and assorted wiring and cabling located at 450 Erb St. West; and
- one meter cabinet, one test block and assorted wiring and cabling located at 555 Davenport Road.

The total sale price of \$3,110.76 (plus HST) represents the net book value of the assets.

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**FINDINGS**

Based on the evidence, I find that there are benefits to the proposed transaction, and no negative consequences have been identified. It is therefore in the public interest to grant Waterloo North leave to sell the metering assets to Loblaw. The following facts are relevant to this decision.

Section 86(1)(b) of the Act provides that leave of the Board is required before a transmitter or a distributor can “sell, lease or otherwise dispose of that part of its transmission or distribution system that is necessary in serving the public”. The assets that are the subject of this transaction are necessary in serving the public.

The sale is for the purposes of transferring ownership of the metering assets to Loblaw to use these assets for wholesale metering as an Independent Electricity System Operator market participant. Waterloo North states that the assets proposed to be sold to Loblaw exclusively serve and will continue to serve Loblaw. After the proposed transaction Loblaw will own the assets instead of the utility. Waterloo North states that the transaction will not adversely affect the safety, reliability, quality of service or operations of the applicant or Loblaw. The proposed transfer will not impact distribution rates of the applicant.

Waterloo North requested, with Loblaw’s consent, that the Board dispose of this matter without a hearing under section 21(4)(b) of the Act. I find, based on the evidence filed in the application, that no other person will be adversely affected in a material way by the outcome of this proceeding. I have therefore disposed of this matter without a hearing.

**IT IS ORDERED THAT:**

1. Waterloo North Hydro Inc. is granted leave to sell two meter cabinets, two test blocks and assorted wiring and cabling located in Waterloo, Ontario at 450 Erb St. West and 555 Davenport Road to Loblaw Companies Limited.

**DATED** at Toronto, August 23, 2012

**ONTARIO ENERGY BOARD**

*Original signed by*

Adrian Pye  
Manager  
Licence Applications