



EB-2009-0363

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 74 of the *Ontario Energy Board Act*, 1998 by
Hydro One Remote Communities Inc. to amend
Hydro One Remote Communities Inc.'s Electricity
Distribution Licence and Electricity Generation
Licence

By delegation, before: Jennifer Lea

DECISION AND ORDER

Hydro One Remote Communities Inc. ("Remotes") filed an application on November 12, 2009, with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act*, 1998 for an order of the Board to:

- a) amend the licensed service area of Remotes as described in its electricity distribution licence; and
- b) amend the schedule of licensed facilities of Remotes as set out in its electricity generation licence.

The Board assigned the application file number EB-2009-0363.

Remotes' service area is prescribed by legislation. The application arises from an amendment to Ontario Regulation 199/02 under subsection 48.1(1) of the *Electricity Act*, 1998 on October 8, 2009 requiring Remotes to serve the community of Marten Falls First Nation ("Marten Falls"). The electricity distribution licence amendment is

required to add the community of Marten Falls to Remotes' service area description in Schedule 1 of the licence. The amendment to Remotes' generation licence is required to include the Marten Falls generating station that is used to serve this community in Schedule 1 of this licence.

In its application, Remotes states that it has entered into an agreement to operate and maintain the community electrical system in Marten Falls while Marten Falls will retain ownership of the existing generation and distribution assets. The applicant has stated that the community stands to achieve an immediate benefit from these amendments as Marten Falls has been struggling to operate and maintain an electrical system that has been a technical and financial burden.

Remotes has requested that the licences be made effective on December 16, 2009 as Remotes, Indian and Northern Affairs Canada and the community have agreed that this is the date on which Remotes would begin providing service to the community.

FINDINGS

I have proceeded without a hearing pursuant to section 21(4)(b) of the Act as:

- a) the applicant has stated that it has entered into an agreement with Marten Falls and no other parties are adversely affected in a material way by the outcome of the proceeding; and
- b) the applicant has requested that the matter be disposed of without a hearing.

I find that the information provided in the application is sufficient to demonstrate that granting the amendments to the electricity distribution and electricity generation licences as proposed by Remotes is in the public interest.

IT IS ORDERED THAT:

Schedule 1 of Hydro One Remote Communities Inc.'s Electricity Distribution Licence (ED-2003-0037) and Schedule 1 of Hydro One Remote Communities Inc.'s Electricity Generation Licence (EG-2003-0138) are amended as requested by the Hydro One Remote Communities Inc.

The amended licences are attached to this decision and order.

DATED at Toronto, December 16, 2009

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects