



EB-2009-0041

NOTICE OF APPLICATION AND HEARING

Application by Enersource Hydro Mississauga and Halton Hills Hydro Inc. for a Licence Amendment and Sale of Distribution Assets

The Application

Enersource Hydro Mississauga (“Enersource Hydro”) and Halton Hills Hydro Inc. (“Halton Hills Hydro”) have filed a joint application with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, for an order of the Board:

- (a) amending the distribution service area of Halton Hills Hydro to reflect the transfer of 2 customers from Enersource Hydro to Halton Hills Hydro to eliminate the long term load transfer (“LTLT”) arrangement between the two distributors; and
- (b) approving the sale from Enersource Hydro to Halton Hills Hydro of distribution assets necessary in serving the public to facilitate the transfer of the 2 customers proposed to be transferred from Enersource Hydro to Halton Hills Hydro through the service area amendment.

The Board assigned file number EB-2009-0041 to the application.

Section 6.5.4 of the Distribution System Code

Section 6.5.4 of the Distribution System Code (“DSC”) deals with LTLT arrangements. A load transfer is a situation in which a customer is located in the licensed service area of one distributor (the “geographic distributor”) but is physically served electricity by another distributor (the “physical distributor”). Section 6.5.4 of the DSC requires geographic distributors to eliminate their LTLT arrangements before January 31, 2009. This can be accomplished by either negotiating the transfer of the customers to the physical distributor or by the geographic distributor extending its system to connect the customers.

Service Area Amendment

According to the application, the service area amendment is being sought in order to eliminate the LTLT arrangement between Enersource Hydro and Halton Hills Hydro through the transfer of the customers to the physical distributor. The applicants state that since the physical distributor has the existing facilities and is already serving the customers, it would not be cost effective for the geographic distributor to incur significant capital costs to build duplicate facilities, nor would it be sensible for the affected customers to bear these capital costs.

The proposed service area amendment will expand Halton Hills Hydro's service area to include 2 customers who are currently within Enersource Hydro's service area but are physically supplied by Halton Hills Hydro. Presently, the customers are considered Enersource Hydro customers and are being charged Enersource Hydro's rates. The proposed amendments, if granted, will result in these customers becoming customers of Halton Hills Hydro and being subject to higher distribution rates.

The 2 customers are located on Winston Churchill Blvd, between Hwy 401 and Meadowpine Blvd with the civic address number 7575.

Sale of Distribution Assets

Enersource Hydro is seeking approval to sell certain assets that are part of its distribution system to Halton Hills Hydro for the net book value of the assets. The assets will continue to be used to serve the same customers presently served by the assets.

According to the application, the proposed sale of the distribution assets facilitates the elimination of the LTLT arrangements between Enersource Hydro and Halton Hills Hydro.

How to see the Application

A copy of the application and related documents are available for inspection at the Board's offices in Toronto and on its website, www.oeb.gov.on.ca. A copy can also be viewed at the applicants' offices at the addresses indicated below and may be viewed on their websites.

How to Participate in the Proceeding

The application will be decided by way of written hearing unless a party satisfies the Board that there is good reason for holding an oral hearing. If you object to a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any objections to a written hearing must be received by the Board and copied to the applicant within 10 days of the date this notice was served. The Board does not intend to provide for an award of costs when deciding this application.

If you wish to participate in the written hearing, please file a written submission setting out your views on the application with the Board and deliver it to the applicant no later than 21 days after the date this notice was served.

If the applicant wishes to respond to the submission(s), the written response must be filed with the Board and delivered to all parties who made submissions no later than 28 days after the date this notice was served.

How to File Documents with the Board

If you already have a user ID, please submit your submission through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. For instructions on how to file and naming conventions, please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. Those who do not have internet access are asked to submit their submission on a CD or diskette in PDF format, along with two paper copies. You may also send your submission by post or e-mail to the addresses below.

In responding to this Notice, please include Board file number EB-2009-0041 in the subject line of your e-mail or at the top of your document. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR IF YOU DO NOT FILE A WRITTEN SUBMISSION IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THE PROCEEDING.

ADDRESSES

(for viewing copies of the application)

The Board

Ontario Energy Board
P.O. Box 2319
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Toronto, ON M4P 1E4
Attention: Board Secretary

Tel: 1-877-632-2727 ((toll free)
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The Applicants

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Halton Hills Hydro Inc.
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DATED at Toronto February 11, 2009
ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary