



**EB-2009-0026**

**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  
Festival Hydro Inc. to amend its Electricity Distribution  
Licence (ED-2002-0513).

**By delegation, before:** Jennifer Lea

## **DECISION AND ORDER**

### **THE APPLICATION**

Festival Hydro Inc. filed an application on February 24, 2009 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998* for an order of the Board to amend Festival Hydro's licensed service area in Schedule 1 of its electricity distribution licence ED-2002-0513. The Board assigned the application file number EB-2009-0026.

This service area amendment is required in order for Festival Hydro to supply electricity and provide electricity distribution services to a single customer (Royal Bank of Canada) with a proposed building housing a data centre in the City of Stratford, which is on lands currently located within Hydro One Network Inc.'s licensed service area. The lands are described as:

- Part of PIN 53272-0127 (LT) specifically Parts 3, 4, 5, 6, 7, and 8 being Part Lot C, Concession 3 in the City of Stratford; and
- Part of PIN 53272-0062 (LT) specifically Parts 12, 13, 14, 15, 16 and 17 being Part Lot 4, Concession 3 in the City of Stratford.

## FINDINGS

Based on the evidence, I find that it is in the public interest to amend Schedule 1 of Festival Hydro's distribution licence to include the lands described above. The following facts are relevant to this decision.

The evidence filed with the application demonstrates that it is more economically efficient for Festival Hydro to supply and service the proposed building. The lands that are the subject of the service area amendment are contiguous with the licensed service area of Festival Hydro. Festival Hydro currently provides service to the properties adjacent to the subject lands within the City of Stratford. In addition, Festival Hydro has existing distribution infrastructure in close proximity to the subject lands that can provide the required service with minimal investment. A short feeder extension will be required by Festival Hydro to service the proposed building which will also be used as a tie-in-point between two feeders to allow for improved load balancing and reliability.

Festival Hydro submits that Hydro One does not have distribution infrastructure adjacent to the subject lands and would need to make a significant investment to expand and upgrade its infrastructure to service the proposed building. Festival Hydro also states that future development in the subject area is unlikely as it is surrounded by an environmentally protected area. Hydro One supports the proposed service area amendment and confirms that it is more economically efficient for Festival Hydro to extend its existing distribution system to service the proposed building.

A letter from the prospective customer filed with the application indicates that the customer prefers Festival Hydro as the service provider. There are no other existing customers in the proposed amendment area. The owner of the lands that are the subject of the service area amendment application, the City of Stratford supports the application. No negative impact on rates, safety, reliability or service quality of Festival Hydro or Hydro One has been identified as a result of the proposed amendment.

The applicant requested that the Board decide the application without a hearing. I have done so. The customer prefers Festival Hydro as a service provider. All other directly affected parties consented to the application as filed. The evidence filed with the Board demonstrated that the amendment will not produce any adverse effects on the existing customers of the distributors.

**IT IS THEREFORE ORDERED THAT:**

Festival Hydro Inc.'s Distribution Licence (ED-2002-0513), specifically Schedule 1 of the licence, is amended to include the lands described as:

- Part of PIN 53272-0127 (LT) specifically Parts 3, 4, 5, 6, 7, and 8 being Part Lot C, Concession 3 in the City of Stratford; and
- Part of PIN 53272-0062 (LT) specifically Parts 12, 13, 14, 15, 16 and 17 being Part Lot 4, Concession 3 in the City of Stratford.

**DATED** at Toronto, March 12, 2009

ONTARIO ENERGY BOARD

*Original signed by*

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Jennifer Lea  
Counsel, Special Projects