



EB-2009-0002

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 Brampton Networks Inc. seeking an order to
amend the current Electricity Distribution Licences of
Hydro One Brampton Networks Inc. and PowerStream
Inc. (ED-2003-0038 and ED-2004-0420-respectively);

AND IN THE MATTER OF an application pursuant to
section 86(1)(b) of the *Ontario Energy Board Act, 1998* by
Hydro One Brampton Networks Inc. seeking an order
granting leave to sell distribution assets necessary in
serving the public to PowerStream Inc.

By delegation, before: Jennifer Lea

DECISION AND ORDER

THE APPLICATION

Hydro One Brampton Networks Inc. with the consent of PowerStream Inc. filed an application with the Ontario Energy Board on December 31, 2008 under sections 74 and 86(1)(b) of the *Ontario Energy Board Act, 1998*.

The application addresses the long term load transfer ("LTLT") arrangement between Hydro One Brampton and PowerStream. 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 Board's Distribution System Code ("DSC") requires geographic distributors to eliminate long term load transfer arrangements by either negotiating the transfer of the customers to the physical distributor or by the geographic distributor extending its system to connect the customers.

The application seeks an order of the Board to:

- (a) amend the distribution service areas of Hydro One Brampton and PowerStream to reflect the transfer of one customer from Hydro One Brampton to PowerStream; and
- (b) approve the sale from Hydro One Brampton to PowerStream of distribution assets necessary in serving the customer proposed to be transferred from Hydro One Brampton to PowerStream.

Service Area Amendment

The proposed service area amendment would transfer one customer to PowerStream's licensed service area. The customer is currently located within Hydro One Brampton's licensed service area and is a customer of Hydro One Brampton but is physically served electricity by PowerStream under a LTLT agreement between the two distributors. If the proposed amendment is approved, this customer will be billed and otherwise served by PowerStream as a PowerStream customer. The customer is located 45m south of the center-line of Castlemore Rd and 37.5m west of the center-line of Highway 50 in the City of Brampton.

Sale of Distribution Assets

The assets proposed to be sold to PowerStream by Hydro One Brampton consist of a 40 foot wood pole and related attachments and 14 m of 3/0 Al UG triplex service conductor. A nominal value of \$2 plus GST has been assigned to the assets as Hydro One Brampton received contributions in aid of capital for the full value of the service installation. The assets will continue to be used to serve the same customer presently served by the assets.

THE PROCEEDING

The Board assigned file number EB-2009-0002 to the application and issued a Notice of Application and Written Hearing on February 6, 2009. The Notice was served upon the customer proposed to be transferred to PowerStream from Hydro One Brampton. The customer did not respond to the Notice.

FINDINGS

The service area amendment and the sale of assets are prompted by the Board's policy that requires the elimination of long term load transfers.

The applicant stated that the proposed service area amendment is the most cost-efficient approach for eliminating the subject LTLT arrangement. In addition, the evidence indicate that the customer being transferred from Hydro One Brampton to PowerStream will not experience significant rate or service impact as a result of the service area amendment.

With respect to the sale of the distribution assets from Hydro One Brampton to PowerStream, the applicant stated that the assets have been serving the customer for several years and that it would be uneconomical for Hydro One Brampton to remove the assets and for PowerStream to install new assets to serve the same customer.

Based on the evidence, I find that it is in the public interest to amend Schedule 1 of both Hydro One Brampton and PowerStream's electricity distribution licences to reflect the transfer of the subject customer from Hydro One Brampton to PowerStream as requested by the applicant. I also find that it is in the public interest to grant Hydro One Brampton leave to sell the assets described in the application to PowerStream.

IT IS THEREFORE ORDERED THAT:

1. Hydro One Brampton Networks Inc.'s electricity distribution licence (ED-2003-0038), specifically Schedule 1 of the licence, is amended to exclude the lands located 45m south of the center-line of Castlemore Rd and 37.5m west of the center-line of Highway 50 in the City of Brampton.
2. PowerStream Inc.'s electricity distribution licence (ED-2004-0420), specifically Schedule 1 of the licence, is amended to include the lands located 45m south of the center-line of Castlemore Rd and 37.5m west of the center-line of Highway 50 in the City of Brampton.
3. Hydro One Brampton Networks Inc. is granted leave to sell the assets described in the application to PowerStream Inc.

DATED at Toronto, March 31, 2009

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects