



**EB-2009-0071**

**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 Hydro One Networks Inc. seeking an order granting Hydro One Networks Inc. leave to sell a distribution asset to 270733 Ontario Inc.

By delegation, before: Jennifer Lea

### **DECISION AND ORDER**

On March 5, 2009, Hydro One Networks Inc. ("Hydro One") filed an application with the Ontario Energy Board under section 86(1)(b) of the *Ontario Energy Board Act, 1998* for an order granting Hydro One leave to sell a distribution asset to 1270733 Ontario Inc. doing business as Cedar Shade Campground ("1270733 Ontario").

The asset consists of one distribution transformer that is installed on a pole owned by 1270733 Ontario. The asset is located on 1270733 Ontario's property within the campground of a trailer park.

### **Findings**

Hydro One, with 1270733 Ontario's consent, requested 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 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.

Section 86(1)(b) of the Act provides that leave of the Board is required before 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 asset that is the subject of this transaction is necessary in serving the public.

The applicant stated that the asset proposed for sale serves the trailer park only and it is useful to serve its trailer park customers on a seasonal/intermittent basis.

The applicant also stated that there are no environmental issues associated with the transaction. The transaction will not affect the safety, reliability, operational flexibility or economic efficiency of Hydro One or 1270733 Ontario.

The total sale price of \$3,952.57 plus GST represents the net book value of the asset. The applicant further stated that there will be no material impact on Hydro One’s ratepayers or any other parties as a result of this transaction.

Based on the evidence, I find that there are benefits to the proposed transaction, and no negative consequences have been identified. I therefore find that it is in the public interest to grant Hydro One leave to sell the asset described above to 1270733 Ontario.

The approval of this application should in no way be construed as providing the Board’s view as to the merits of any future rate proposal related to the asset that is the subject of this decision and order.

**IT IS ORDERED THAT:**

Hydro One Networks Inc. is granted leave to sell to 1270733 Ontario the asset generally described in the application as one transformer located on the purchaser’s property at 1540 Concession 5, Alfred, Ontario.

**ISSUED** at Toronto, April 24, 2009

**ONTARIO ENERGY BOARD**

*Original Signed By*

Jennifer Lea  
Counsel, Special Projects