



EB-2009-0301

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 leave to sell distribution system assets to
PowerStream Inc.

By delegation, before: Theodore Antonopoulos

DECISION AND ORDER

THE APPLICATION

Hydro One Networks Inc. (“Hydro One”) filed an application with the Ontario Energy Board on July 24, 2009 under section 86(1)(b) of the *Ontario Energy Board Act*, 1998, for an order granting Hydro One leave to sell certain distribution system assets to PowerStream Inc. (“PowerStream”).

The Board assigned file number EB-2009-0301 to the application.

The assets that are the subject of the proposed transaction consist of approximately 2.5 km of single phase 4.8 kV line. The assets are located entirely within PowerStream’s licensed service area and are currently serving PowerStream customers.

FINDINGS

Hydro One requested, with PowerStream's consent, 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 other 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 transmitter or 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 distribution system assets that are the subject of this transaction are necessary in serving the public.

The evidence indicates that the assets are surplus to Hydro One's needs but useful to PowerStream. Specifically, the applicant states that the assets currently serve and will continue to serve PowerStream customers and that there are no plans by Hydro One to serve any of its customers from these assets in the future. The applicant further states that the transaction will not adversely affect the safety, reliability, quality of service or operational flexibility of Hydro One or PowerStream and that there are no environmental issues associated with the transaction.

The total sale price of \$15,111.89 (plus GST) represents the net book value of the assets. The applicant states that the proposed transaction will have no impact on its electricity distribution rates.

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

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 assets that are the subject of this Decision and Order.

IT IS THEREFORE ORDERED THAT:

Hydro One Networks Inc. is granted leave to sell to PowerStream Inc. the distribution system assets generally described in the application as approximately 2.5 km of single phase 4.8 kV line.

ISSUED at Toronto, September 10, 2009

ONTARIO ENERGY BOARD

Original signed by

Theodore Antonopoulos
Manager, Electricity Rate Applications