



**EB-2009-0352**

**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 October 1, 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-2009-0352.

This service area amendment is required in order for Festival Hydro to supply electricity and provide electricity distribution services to a property proposed to be developed into residential housing in the City of Stratford, which is on lands currently located within Hydro One Network Inc.'s licensed service area. The land is described as:

- Part of Lot 6, Concession 1 in the City of Stratford, County of Perth.

### **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 residential property. 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. Festival has existing circuit adjacent to the property and would supply the subdivision via an underground road crossing.

The evidence shows 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 residential subdivision. 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 residential subdivision.

The affected customer, who owns the lands on which the residential development is to occur, prefers Festival Hydro as the service provider. There are no other existing customers in the proposed amendment area. No negative impact on rates, safety, reliability or service quality of Festival Hydro or Hydro One has been identified that will result from the proposed amendment.

The applicant asked that the Board decide the application without a hearing, and I have done so. All other directly affected parties consented to the application as filed. I find that no person will be adversely affected in a material way by the outcome of the proceeding.

**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 land described as:

- Part of Lot 6, Concession 1 in the City of Stratford, County of Perth.

**DATED** at Toronto, December 1, 2009

ONTARIO ENERGY BOARD

*Original signed by*

---

Jennifer Lea  
Counsel, Special Projects