



EB-2010-0005

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
FortisOntario Inc. to amend FortisOntario Inc.'s Electricity
Generation Licence.

By delegation, before: Jennifer Lea

DECISION AND ORDER

FortisOntario Inc. ("FortisOntario") filed an application on January 8, 2010, with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998* for an order of the Board to amend the schedule of licensed facilities of FortisOntario as set out in its electricity generation licence. The Board assigned the application file number EB-2010-0005.

FortisOntario has requested the removal of the Rankine Generating Station from the list of licensed facilities in Schedule 1 of its licence.

The applicant states that FortisOntario's water rights associated with the Rankine Generating Station expired on April 30, 2009. This station has not operated since 2005. Pursuant to the Niagara Exchange Agreements between FortisOntario, Ontario Power Generation Inc., and the Niagara Parks Commission, the Rankine station was transferred to the Niagara Parks Commission upon the expiration of the water rights. A copy of the letter of conveyance was provided with the application.

The application states that as of May 1, 2009, FortisOntario no longer owns or operates the station. The station is now owned by the Niagara Parks Commission.

FINDINGS

I have proceeded without a hearing pursuant to section 21(4)(b) of the Act as the applicant has requested that the matter be disposed of without a hearing and based on the evidence filed, no adverse impact has been identified as a result of the proposed amendment.

I find that the information provided in the application is sufficient to demonstrate that granting the amendment to the electricity generation licence as proposed by FortisOntario is in the public interest.

IT IS ORDERED THAT:

The electricity generation licence of FortisOntario Inc. (ED-2003-0107), specifically Schedule 1 is amended as requested by FortisOntario Inc.

The amended licence is attached to this decision and order.

DATED at Toronto, January 28, 2010

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects