



EB-2010-0025

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
PowerStream Inc. to amend Electricity Distribution
Licence ED-2004-0420;

AND IN THE MATTER OF a request to cancel the
distribution licence of Barrie Hydro Distribution Inc.,
pursuant to section 77(5) of the *Ontario Energy Board Act*,
1998.

By delegation, before: Jennifer Lea

DECISION AND ORDER

On January 28, 2010, PowerStream Inc. filed an application with the Ontario Energy Board for an amendment to licence ED-2004-0420 pursuant to section 74 of the *Ontario Energy Board Act, 1998* and a request to cancel the distribution licence of Barrie Hydro Distribution Inc. ("Barrie Hydro"), pursuant to section 77(5) of the Act. The Board has assigned the application file number EB-2010-0025.

The application to amend the distribution licence of PowerStream Inc. arises from an amalgamation of two entities: PowerStream Inc. and Barrie Hydro. On December 15, 2008, the Board made an oral decision which granted PowerStream Inc. and Barrie Hydro leave to amalgamate. Through the amalgamation, PowerStream Inc. became the licence holder of the Barrie Hydro licence.

The Board did not address any licensing matters in this decision, however, it was intended at that time that the PowerStream Inc. licence would be amended to include the service area of Barrie Hydro, and the licence of Barrie Hydro would be cancelled. The PowerStream Inc. licence amendment and Barrie Hydro licence cancellation were postponed until such time as the newly merged company was able to move to one net

system load shape. In the present application, PowerStream Inc. indicated that it moved to one net system load shape as of November 1, 2009. The applicant therefore requested that the service area described in Schedule 1 of its distribution licence now be amended to include the service area of Barrie Hydro, and the Barrie Hydro licence be cancelled.

I have proceeded to decide the application without a hearing pursuant to section 21(4)(b) of the Act since no other parties are adversely affected in a material way by the outcome of the proceeding, and the applicant has consented to disposing of the application without a hearing.

I find that it is in the public interest to grant the requested licence amendment, and to cancel the distribution licence of Barrie Hydro.

IT IS ORDERED THAT:

Schedule 1 of distribution licence ED-2004-0420 is amended so as to include the service area of Barrie Hydro Distribution Inc., and the distribution licence of Barrie Hydro Distribution Inc. ED-2002-0534 is cancelled. The amended licence ED-2004-0420 is attached to this decision and order.

DATED at Toronto, March 16, 2010

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects