



EB-2007-0914

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
Horizon Utilities Corporation to amend Electricity
Distribution Licence ED-2006-0031.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Horizon Utilities Corporation ("Horizon") filed an application on November 19, 2007, with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998* for an order of the Board to amend Horizon's licensed service area in Schedule 1 of its electricity distribution licence ED-2006-0031. The Board assigned the application file number EB-2007-0914.

This service area amendment is required in order for Horizon to supply electricity to the Gardens at Summit Park and Summit Park Phase Six planned residential development in the City of Hamilton, which is currently located within Hydro One Networks Inc.'s ("Hydro One") licensed service area. These lands are described as:

- The former Township of Binbrook in the former Township of Glanbrook as of December 31, 1973, now in the City of Hamilton and described as Part of Township Lot Six (6), Block Five (5) in the First Concession of the Geographic Township of Binbrook and known as The Gardens at Summit Park on Plan 62M.

- The former Township of Binbrook in the former Township of Glanbrook as of December 31, 1973, now in the City of Hamilton and described as Part of Township Lot Five (5), Block Four (4) in the First Concession of the Geographic Township of Binbrook and known as Summit Park Phase Six.

The service area amendment is granted.

Reasons

The evidence filed with the application confirms that it is more economically efficient for Horizon to serve the proposed residential development. The Gardens at Summit Park and Summit Park Phase Six are a natural extension to Horizon's existing urban distribution system. Horizon already serves Phases One, Two, Three and Four of the Summit Park Development and has surplus capacity on two existing 27.6 kV circuits that are contiguous to the Summit Park development.

Hydro One supports the proposed service area amendment and confirms that its distribution facilities in the subject area are not sufficient to supply the load for the development without additional investment. Hydro One also states that Horizon would be the most cost-effective distributor for the area covered by the proposed amendment.

A letter from the developer filed with the application indicates that the developer prefers to receive service from Horizon. There are no other existing customers in the proposed amendment area. Horizon states that the proposed amendment results in no stranded assets and affects no embedded customers of Hydro One. Rates of both distributors will be unaffected by the amendment and there will be no effect on safety, reliability and service quality.

I find that it is in the public interest to amend Horizon's electricity distribution licence as proposed by Horizon.

The applicant requested that the Board decide the application without a hearing. I have done so. All affected parties consented to the application as filed. The evidence filed with the Board demonstrated that the amendment will not produce any adverse effects on the existing customers of the distributors, nor on potential customers who may locate in the subdivision.

IT IS ORDERED THAT:

Horizon Utilities Corporation's Distribution Licence (ED-2006-0031) be amended as per Schedule 1 as attached to this order. The amended licence is attached to this order, with an effective date of December 14, 2007.

Under section 7(1) of the Act, this decision may be appealed to the Board within 15 days.

DATED at Toronto, December, 14, 2007

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Special Advisor, Market Operations