



EB-2007-0917

NOTICE OF APPLICATION

Application by Hydro One Networks Inc. and Whitby Hydro Electric Corporation for Licence Amendments and Sale of Distribution Assets

Hydro One Networks Inc. ("Hydro One") and Whitby Hydro Electric Corporation ("Whitby Hydro") have filed a joint application with the Ontario Energy Board under the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B, for an order of the Board:

- amending the applicants' distribution service areas to reflect the transfer of 27 customers from Whitby Hydro to Hydro One; and
- approving the sale of distribution assets necessary in serving the public from Whitby Hydro to Hydro One.

The Board has assigned file number EB-2007-0917 to the application.

Section 6.5.4 of the Distribution System Code

Section 6.5.4 of the Board's Distribution System Code requires distributors to eliminate long term load transfers before January 31, 2009. A long term load transfer is a situation in which a customer is within one distributor's service area but is actually served electricity from a second distributor. The applicants have stated that the service area amendments and the sale of the distribution assets that are the subject of this application are being sought in order to eliminate the long term load transfer between Hydro One and Whitby Hydro.

Service Area Amendments

The proposed service area amendment will expand Hydro One's service area to include the customers located in the Town of Whitby, Concession 9, Part of Lots 21, 22, 23, 24, 25, 26, 31, 32, 33, 34 and 35 fronting on south side of Townline Road West, between Lake Ridge Road (Durham Road 23 and Highway 12) and properties fronting on the eastside of Lake Ridge Road, south of Townline Road, north of Myrtle Road.

The customers located at the above noted locations are currently within Whitby Hydro's service area. The proposed amendments, if granted, will result in these customers becoming customers of Hydro One. As the distribution rates for the two utilities are not identical, these customers will be subject to new distribution rates if the application is approved.

Sale of Distribution Assets

Whitby Hydro is seeking approval to sell part of its distribution system that is useful in serving the public to Hydro One. Hydro One will purchase these assets from Whitby Hydro for net book value. The assets will continue to be used to serve the same customers presently served by the assets.

How to see the Application

A copy of the application and related documents are available for inspection at the Board's offices in Toronto. A copy can also be viewed at the Hydro One and Whitby Hydro offices at the addresses indicated below.

How to Participate

You may participate in this proceeding in one of three ways:

1. Send a Letter with your Comments to the Board

Your letter with comments will be provided to the Board members deciding the application, and will be part of the public record for the application. Your letter must be received by the Board no later than **30 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

2. Become an Observer

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board.

You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact the applicant and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The

Board accepts observer request letters by either post or e-mail at the addresses below; however, two paper copies are also required. You must also provide a copy of your letter to the applicant.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor status is eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this proceeding; and if you represent a group, a description of the group and its membership. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

The Board may proceed in this matter by way of a written hearing or an oral hearing. The Board will not hold a written hearing if a party satisfies the Board that there is good reason for holding an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reasons for that preference.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

How to Contact Us

In responding to this Notice please reference Board file number EB-2007-0917. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

IMPORTANT

IF YOU DO NOT NOTIFY THE BOARD OF YOUR INTENTION TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THE PROCEEDING.

Addresses

The Board:

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Board Secretary

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656
E-mail: Boardsec@oeb.gov.on.ca

The Applicants

Hydro One Networks Inc.
8th Floor, South tower
483 Bay Street
Toronto, ON M5G 2P5
Attention: Mr. Allan Cowan

Tel: 416-345-6219
Fax: 416-345-5866
E-Mail: allan.cowan@hydroone.com

Whitby Hydro Electric Corporation
100 Taunton Road East
Whitby, ON L1N 5R8
Attention: Ms. Sandy Gray

Tel: 905-668-5878 x235
Fax: 905-666-8374
E-mail: sgray@whitbyhydro.on.ca

DATED at Toronto, December 19, 2007

ONTARIO ENERGY BOARD

Original signed by

John Pickernell,
Assistant Board Secretary