



EB-2007-0624

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
sections 60 and 77(5) of the *Ontario Energy Board Act, 1998*
by Newmarket-Tay Power Distribution Ltd. for the issuance
of a distribution licence for Newmarket-Tay Power
Distribution Ltd. and for the cancellation of the distribution
licences for Newmarket Hydro Ltd. (ED-2002-0553) and Tay
Hydro Electric Distribution Company Inc. (ED-2002-0519).

By delegation, before: Jennifer Lea

DECISION AND ORDER

On December 19, 2006, Newmarket Hydro Ltd. ("Newmarket") and Tay Hydro Electric Distribution Company Inc. ("Tay") as co-applicants, filed an application (EB-2006-0344) with the Ontario Energy Board seeking leave for the amalgamation of Newmarket and Tay. By separate letter on that date, Newmarket and Tay applied for the cancellation of their separate licences effective at the time of completion of the amalgamation forming the entity Newmarket-Tay Power Distribution Inc. ("Newmarket-Tay").

On March 8, 2007 the Board granted Newmarket and Tay leave to amalgamate.

By letter dated May 1, 2007, the newly amalgamated entity, Newmarket-Tay, filed with the Board a notice of completion of the amalgamation. Newmarket-Tay also sought a new electricity distributor licence for the service areas served by the former Newmarket and Tay; the cancellation of Newmarket's current distribution licence ED-2002-0553 and the cancellation of Tay's electricity distribution licence ED-2002-0519. On June 8, 2007, Newmarket-Tay filed the appropriate application forms required for a new licence.

- 2 -

I have disposed of this application without a hearing as no person will be adversely affected in a material way by the outcome of the proceeding and the applicant has consented to the disposing of the proceeding without a hearing.

After considering the distribution licence application, and in light of the fact that the Board has granted leave for the amalgamation transaction and that the amalgamation is complete, I find that it is in the public interest to issue a new electricity distribution licence to Newmarket-Tay, and to cancel Newmarket's current distribution licence ED-2002-0553 and Tay's electricity distribution licence ED-2002-0519.

IT IS ORDERED THAT:

1. The application for an electricity distribution licence is granted, on such conditions as are contained in the attached licence; and
2. The electricity distribution licences of Newmarket Hydro Ltd. (ED-2002-0553) and Tay Hydro Electric Distribution Company Inc. (ED-2002-0519) be cancelled as of August 24, 2007.

DATED at Toronto, August 24, 2007

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Special Advisor, Market Operations