



**EB-2012-0065**

**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 Milton Hydro Distribution Inc. to amend its Electricity Distribution Licence ED-2003-0014.

**By delegation, before:** David Richmond

## **DECISION AND ORDER**

### **THE APPLICATION**

Milton Hydro Distribution Inc. ("Milton Hydro") filed an application on February 15, 2012, with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998* for an order of the Board to amend Milton Hydro's licensed service area in Schedule 1 of its electricity distribution licence ED-2003-0014, and to effect a corresponding amendment to Burlington Hydro Inc.'s ("Burlington Hydro") licensed service area.

This service area amendment is required in order for Milton Hydro to supply electricity and provide electricity distribution services to one new residential dwelling. The private parcel of land upon which the new residential dwelling has been constructed is currently located in Burlington Hydro's licensed service area. The subject land is described as 6719 McNiven Road<sup>1</sup>, City of Burlington, County of Halton (the "property").

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<sup>1</sup> The property is part of a lot located at the intersection of McNiven and Derry roads, and is also known commonly as 2110 Derry Road

## **FINDINGS**

Based on the evidence, I find that it is in the public interest to amend Schedule 1 of Milton Hydro's electricity distribution licence to include the lands described above, and to correspondingly amend Schedule 1 of Burlington Hydro's electricity distribution licence to exclude the lands described in Milton Hydro's application. The following facts are relevant to this decision.

The evidence filed with the application demonstrates that it is more economically efficient for Milton Hydro to serve the new residential dwelling on the property. The property is contiguous to Milton Hydro's existing distribution service area. Milton Hydro submits that it has existing distribution infrastructure bordering the subject lands that is readily available and adequate to supply the new residential customer. Burlington Hydro has no suitable infrastructure in the immediate area, and Burlington Hydro does not have legal access to the land for the purposes of constructing a feeder to make a connection. Service from Milton Hydro is therefore practical and involves the lowest cost to connect for the developer.

Burlington Hydro supports the proposed service area amendment. A letter from the landowner (who is also the new customer) was filed with the application and this letter indicates that the customer prefers a connection to the Milton Hydro distribution system.

The subject property has no existing customers of either distributor in the proposed amendment area. No assets will be stranded as a result of the proposed amendment. In addition, no negative impact on rates, safety, reliability or service quality of Milton Hydro or Burlington Hydro has been identified as a result of the proposed amendment.

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 outcome of the proceeding would not produce any adverse effects on the existing customers of the distributors.

### **IT IS THEREFORE ORDERED THAT:**

1. Milton Hydro's Electricity Distribution Licence (ED-2003-0014), specifically Schedule 1 of the licence, is amended to include the lands described as 6719

McNiven Road, City of Burlington, County of Halton. Milton Hydro's licence is attached as Appendix A to this Decision and Order.

2. Burlington Hydro's Electricity Distribution Licence (ED-2003-0004), specifically Schedule 1 of the licence, is amended to exclude the lands described as 6719 McNiven Road, City of Burlington, County of Halton. Burlington Hydro's licence is attached as Appendix B to this Decision and Order.

**DATED** at Toronto, March 16, 2012

**ONTARIO ENERGY BOARD**

*Original Signed By*

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David Richmond  
Manager, Electricity Facilities and Infrastructure Applications