



**EB-2012-0239**

**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 86(1)(b) of the *Ontario Energy Board Act*,  
1998 by Haldimand County Hydro Inc. seeking an  
order granting leave to sell distribution system assets  
to Loblaw Companies Limited.

By delegation, before: Adrian Pye

## **DECISION AND ORDER**

**May 10, 2012**

### **THE APPLICATION**

Haldimand County Hydro Inc. (“Haldimand”) filed an application with the Ontario Energy Board on May 3, 2012 under section 86(1)(b) of the *Ontario Energy Board Act*, 1998 (the “Act”) for a Board order granting Haldimand leave to sell certain distribution system assets to Loblaw Companies Limited (“Loblaw”).

The assets consist of one test block, assorted wiring and cabling, three current transformers and three voltage transformers (the “metering assets”) and are located at 322 Argyle Street South, Caledonia, Ontario.

The total sale price of \$1,071.48 (plus HST) represents the net book value of the assets.

### **FINDINGS**

Based on the evidence, I find that there are benefits to the proposed transaction, and no negative consequences have been identified. It is therefore in the public interest to grant Haldimand leave to sell the metering assets to Loblaw. The following facts are

relevant to this decision.

Section 86(1)(b) of the Act provides that leave of the Board is required before a transmitter or a distributor can “sell, lease or otherwise dispose of that part of its transmission or distribution system that is necessary in serving the public.” The assets that are the subject of this transaction are necessary in serving the public.

The sale is for the purposes of transferring ownership of the metering assets to Loblaw to use these assets for wholesale metering as an Independent Electricity System Operator market participant. Haldimand states that the assets proposed to be sold to Loblaw exclusively serve and will continue to serve Loblaw. After the proposed transaction Loblaw will own the assets instead of the utility. Haldimand states that the transaction will not adversely affect the safety, reliability, quality of service or operations of the applicant or Loblaw. The proposed transfer will not impact distribution rates of the applicant.

Haldimand requested, with Loblaw’s consent, that the Board dispose of this matter without a hearing under section 21(4)(b) of the Act. I find, based on the evidence filed in the application, that no other person will be adversely affected in a material way by the outcome of this proceeding. I have therefore disposed of this matter without a hearing.

**IT IS ORDERED THAT:**

1. Haldimand County Hydro Inc. is granted leave to sell one test block, assorted wiring and cabling, three current transformers and three voltage transformers located at 322 Argyle Street South, Caledonia, Ontario to Loblaw Companies Limited.

**DATED** at Toronto, May 10, 2012

**ONTARIO ENERGY BOARD**

Adrian Pye  
Manager  
Licence Applications