



EB-2014-0035

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 E.L.K. Energy Inc. for an order to amend its electricity distribution licence (ED-2003-0015).

By delegation, before: Viive Sawler

DECISION AND ORDER
May 1, 2014

THE APPLICATION

E.L.K. Energy Inc. (“E.L.K.”) filed a complete application on February 25, 2014 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998* for an order of the Board to amend E.L.K.’s licensed service area in Schedule 1 of its electricity distribution licence (ED-2003-0015).

The service area amendment is required specifically for the purpose of including certain lots of the Timbercreek Estates residential subdivision which is located in the municipal boundaries of the Corporation of the Town of Kingsville.

Timbercreek Estates consists of 75 residential building lots of which 68 lots are wholly contained within E.L.K.’s licensed service area. The remaining 7 lots, being lots 10, 12, 14, 16, 18, 20 and 22, are the subject of the application. Lots 14, 16, 18, 20 and 22 front E.L.K.’s licensed service area but the rear portion of the lot is in Hydro One Network Inc.’s (“Hydro One”) licensed service area. Lot 12, which is immediately north

of lot 14, fronts both E.L.K.'s and Hydro One's licensed service area and the rear portion of the lot is in Hydro One's licensed service area. Lot 10, which is immediately north of lot 12, fronts Hydro One's licensed service area.

FINDINGS

Based on the evidence, I find that it is in the public interest to amend Schedule 1 of E.L.K.'s electricity distribution licence to include the above-noted properties. The following facts are relevant to this decision.

The evidence filed with the application demonstrates that it is more economically efficient for E.L.K. to connect the properties. The amendment will avoid both E.L.K. and Hydro One providing service to the properties.

Hydro One supports the proposed service area amendment. Additionally, the developer accepted E.L.K.'s Offer to Connect for the Timbercreek Estates residential subdivision.

No assets will be stranded or redundant as a result of the proposed amendment. In addition, no negative impact on costs, rates, safety, reliability or service quality of E.L.K. or Hydro One has been identified that would result from 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 amendment will not produce any adverse effects on the existing customers of the distributors.

IT IS THEREFORE ORDERED THAT:

E.L.K. Energy Inc.'s Electricity Distribution Licence (ED-2003-0015), specifically Schedule 1 of the licence, is amended to include the following:

- Lot 1, Plan 12M565; Town of Kingsville (10 Emily Ave, Kingsville ON, N9Y 2K5)
- Lot 2, Plan 12M565 (12 Emily Ave, Kingsville ON, N9Y 2K5)
- Lot 3, Plan 12M565 (14 Emily Ave, Kingsville ON, N9Y 2K5)

- LT 4 PL 12M565 & PT LT 3 CON 1 Eastern Division Gosfield Designated as PT 1 PL 12R24801; Town of Kingsville (16 Emily Ave, Kingsville ON, N9Y 2K5)
- Lot 5, Plan 12M565 (18 Emily Ave, Kingsville ON, N9Y 2K5)
- PT LT 3 CON 1 Eastern Division Gosfield Designated as PT 2 PL 12R24801; Town of Kingsville (18 Emily Ave, Kingsville ON, N9Y 2K5)
- LT 6 PL 12M565 & PT LT 3 CON 1 Eastern Division Gosfield Designated as PT 3 PL 12R24801; Town of Kingsville (20 Emily Ave, Kingsville ON, N9Y 2K5)
- Lot 7, Plan 12M565 (22 Emily Ave, Kingsville ON, N9Y 2K5)
- PT LT 3 CON 1 Eastern Division Gosfield Designated as PT 4 PL 12R24801; Town of Kingsville (22 Emily Ave, Kingsville ON, N9Y 2K5)

No amendment is necessary to Hydro One Network Inc.'s licence.

DATED at Toronto, May 1, 2014

ONTARIO ENERGY BOARD

Original signed by

Viive Sawler
Manager, Licensing & Performance Reporting