



**EB-2006-0344**

## **NOTICE OF APPLICATION AND HEARING**

### **Newmarket Hydro Ltd. Tay Hydro Electric Distribution Company Inc. Application for Leave to Amalgamate**

On December 21, 2006, the Ontario Energy Board (the "Board") received an application from Newmarket Hydro Ltd. ("Newmarket Hydro") and Tay Hydro Electric Distribution Company Inc. ("Tay Hydro") for leave to amalgamate. Both Newmarket Hydro and Tay Hydro are licensed electricity distributors.

Currently, Newmarket Hydro is indirectly owned by the Town of Newmarket, and Tay Hydro is indirectly owned by the Township of Tay.

Upon approval and completion of the proposed transaction, the Town of Newmarket would indirectly hold 92.7 percent, and the Township of Tay would indirectly hold 7.3 percent, of the shares in the amalgamated utility.

Currently, the rates charged for the delivery of electricity to customers in the Newmarket Hydro and Tay Hydro service areas are not equal. However, the application states that there are no current plans to harmonize the rates.

According to the application, the proposed amalgamation would lead to greater efficiency and will help to control costs.

Copies of the application are available for inspection at the Board's offices and at the local offices of Newmarket Hydro and Tay Hydro, at the addresses indicated below.

## **PARTICIPATION**

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

1. You may send the Board a letter of comment. Your letter should include any request to make an oral presentation to the Board, and must be received by the Board no later than 30 days from the publication date of this notice.
2. You may request observer status in order to receive documents issued by the Board in the proceeding. Your request must be made by letter received by the Board no later than 10 days from the publication date of this notice.
3. You may request intervenor status if you wish to actively participate in the proceeding. Your request must be made by letter of intervention received by the Board no later than 10 days from the publication date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the proceeding; and if you represent a group, a description of the group and its membership. The Board may choose to hold either a written 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. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicants and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicants.

## **FOR MORE INFORMATION**

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

## **HOW TO CONTACT US**

In responding to this notice, please make reference to Board file number EB-2006-0344.

It is also important that you provide your name, telephone number and postal address 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 by 4:45 pm on the required date.

For your convenience, the Board accepts letters of comment by either regular mail or e-

mail. The Board's e-mail address is [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca). Please include the application file reference number in the subject line of your e-mail.

Letters of intervention must be sent to the Board by regular mail to the address below. Please remember that you must send a copy of your request for intervention to the applicants at the address listed below.

## ADDRESSES

### Ontario Energy Board

P.O. Box 2319  
2300 Yonge Street  
Toronto ON M4P 1E4

Kirsten Walli  
Board Secretary

Toll free: 1-888-632-6273  
Fax: 416-440-7656

### Newmarket Hydro Ltd.

590 Steven Court  
Newmarket ON  
L3Y 6Z2

Paul D. Ferguson, P.Eng.  
President & Secretary

Phone: 905-895-2309  
Fax: 905-895-8931

### Tay Hydro Electric Distribution Company Inc.

489 Finlayson Street  
P.O. Box 160  
Port McNicoll ON  
L0K 1R0

James E. Crawford  
President

Phone: 705-534-7281  
Fax: 705-534-4470

**IF YOU DO NOT FILE A LETTER STATING YOUR WISH TO PARTICIPATE IN THIS PROCEEDING, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE OF THE PROCEEDING.**

Dated at Toronto, January 5, 2007

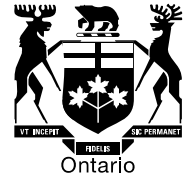
**ONTARIO ENERGY BOARD**

*Original signed by*

Peter H. O'Dell  
Assistant Board Secretary

**Ontario Energy  
Board**  
P.O. Box 2319  
27th Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Telephone: 416- 481-1967  
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**Commission de l'Énergie  
de l'Ontario**  
C.P. 2319  
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**BY E-MAIL**

January 5, 2007

Paul D. Ferguson, P.Eng.  
President & Secretary  
Newmarket Hydro Ltd.  
590 Steven Court  
Newmarket ON  
L3Y 6Z2

James E. Crawford  
President  
Tay Hydro Electric  
Distribution Company Inc.  
489 Finlayson Street  
P.O. Box 160  
Port McNicoll ON  
L0K 1R0

### **LETTER OF DIRECTION**

Dear Mr. Ferguson and Mr. Crawford,

**Re: Application for Leave to Amalgamate Newmarket Hydro Ltd. and  
Tay Hydro Electric Distribution Company Inc.  
Board File Number EB-2006-0344**

The Ontario Energy Board has now issued its Notice of Application with respect to the above application, and a copy is enclosed.

You are directed:

1. To immediately have the Notice published, headed with the Ontario Government logo and the words "Ontario Energy Board", in one issue of a newspaper having the highest paid circulation in each of the affected municipalities, either daily or weekly, according to the best information available.

**NOTE:** Please make it clear to the newspapers that the invoices regarding publication are to be sent to Newmarket Hydro Ltd. or Tay Hydro Electric Distribution Company Inc., not to the Board.

2. To file with the Board affidavit evidence proving publication of the Notice immediately upon completion.

3. To immediately make available copies of the application, including all documents filed with the Board, for convenient public perusal at the offices of Newmarket Hydro Ltd. and Tay Hydro Electric Distribution Company Inc. identified in the Notice.

Yours truly,

*Original signed by*

Peter H. O'Dell  
Assistant Board Secretary

Encl.