



# **Ontario Energy Board Commission de l'énergie de l'Ontario**

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## **DECISION AND ORDER**

**EB-2017-0203**

**HYDRO ONE NETWORKS INC.**

**NEWMARKET-TAY POWER DISTRIBUTION LTD.**

**Joint Application for Elimination of Load Transfer Arrangements**

**BY DELEGATION, BEFORE: Brian Hewson**  
Vice President  
Consumer Protection and Industry Performance

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**June 15, 2017**

## INTRODUCTION AND SUMMARY

Hydro One Networks Inc. (Hydro One) and Newmarket-Tay Power Distribution Ltd. (Newmarket-Tay) have jointly applied to the Ontario Energy Board (OEB) for approval to amend the service areas of both distributors such that all existing load transfer arrangements between the two distributors are eliminated. A load transfer arrangement is a situation in which a customer located in the licensed service area of one distributor (the geographic distributor) is physically served by another distributor (the physical distributor).

The application is granted, as set out in this Decision and Order.

## THE PROCESS

This Decision and Order is being issued without a hearing by Delegated Authority, pursuant to Section 6(4) of the *Ontario Energy Board Act, 1998* (the Act).

## THE APPLICATION

Hydro One and Newmarket-Tay (collectively, the Applicants) filed a joint application on May 15, 2017 under sections 74 and 86(1)(b) of the Act.

The application was filed pursuant to the Distribution System Code (DSC) amendments made by the OEB in EB-2015-0006 and in accordance with the OEB's filing guidelines for combined service area amendments and sale of assets. In EB-2015-0006, the OEB set out its policy on the elimination of load transfer arrangements between electricity distributors in Ontario. On December 21, 2015, section 6.5.3 of the DSC was amended to require distributors to eliminate all load transfer arrangements by June 21, 2017, and section 6.5.6 was amended to prohibit distributors from entering into any new load transfer arrangements.

Through the application, Newmarket-Tay seeks to transfer six "Residential" customers to Hydro One. There are no customers being transferred from Hydro One to Newmarket-Tay, as part of this application. Since all of the assets that are currently feeding the affected customers subject to this application are owned by Hydro One, no assets will be required to be transferred as a result of this application. The Applicants submit that there are no third parties impacted by this transfer and no assets will be stranded, if the application is approved.

## FINDINGS

The OEB finds it to be in the public interest to approve the service area amendments proposed by the Applicants in order to eliminate the load transfer arrangements between Hydro One and Newmarket-Tay. Newmarket-Tay's licence will be amended to reflect the proposed transfer of the affected customers. Hydro One's licence is not required to be amended given the manner in which Schedule 1 of Hydro One's licence is presented.

As prescribed in section 6.5.4 of the DSC, the affected Residential customers moving from Newmarket-Tay to Hydro One shall receive a monthly bill credit to offset the increase in delivery charges. The credit shall be calculated using each customer's average monthly consumption over the most recent 12 months from the application filing date with the OEB. The credit shall be fixed at this calculated level and remain in place as long as the customer remains the account holder.

Hydro One requested a deferral account to record lost revenue resulting from the rate impact mitigation plan as well as any costs involved in the set-up of such a plan. The OEB will allow Hydro One to track these costs in a deferral account. Hydro One shall record these costs in account 1508, Other Regulatory Assets, Sub-account LTLT Rate Impact Mitigation. The disposition of the deferral account will be subject to an OEB determination of prudence, which will occur in the rate setting process.

Hydro One and Newmarket-Tay are reminded that both geographic and physical distributors shall ensure that all relevant customer information including, but not limited to, information regarding security deposit and consumption is properly transferred to the physical distributor to allow for the continuous billing of the affected customer and the continuous application of Ontario Electricity Support Program (OESP) rate assistance to the bills of eligible customers.

## IT IS ORDERED THAT:

1. Schedule 1 of Newmarket-Tay Energy Inc.'s Electricity Distribution Licence (ED-2007-0624) is amended. The amended licence is attached to this Decision and Order.

**DATED** at Toronto June 15, 2017

**ONTARIO ENERGY BOARD**

*Original Signed By*

Brian Hewson  
Vice President, Consumer Protection and Industry Performance