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INTERIM DECISION AND ORDER

EB-2020-0300

HALTON HILLS HYDRO INC.

Application for Electricity Distribution Licence Amendment

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

December 23, 2020

INTERIM DECISION AND ORDER

Halton Hills Hydro Inc. (HHHI) applied on December 14, 2020, under section 74 of the *Ontario Energy Board Act, 1998* (OEB Act) for an amendment to its electricity distribution licence, ED-2002-0552. HHHI seeks an extension to the period of its current exemption from section 6.5.3 of the Distribution System Code (DSC), as it relates to the connection of 33 “load transfer” customers who are currently located in HHHI’s licensed service area, but are physically served by Alectra Utilities Corporation (Alectra).¹

On June 15, 2017, in proceeding EB-2016-0366, the OEB issued a Decision and Order amending HHHI’s licence to exempt it from having to comply with section 6.5.3 of the DSC with respect to the 33 load transfer customers. These customers are located on the west side of Winston Churchill Boulevard, in HHHI’s licensed service area, but are connected to Alectra’s distribution system which is located on the east side of Winston Churchill Boulevard, in Alectra’s licensed service area.

As stated by the OEB in its Decision and Order in proceeding EB-2016-0366, the exemption granted from section 6.5.3 of the DSC was intended to be temporary. The OEB ordered that the exemption would remain valid until such time that HHHI physically connected the 33 load transfer customers or until December 31, 2020, whichever came first. The grant of the temporary exemption was based on the OEB’s understanding that HHHI’s planned system expansion and hydro pole relocation relating to the 33 load transfer customers was part of a Distribution System Plan filed by HHHI in its EB-2015-0074 cost of service proceeding and approved by the OEB. It was the OEB’s expectation that, upon completion of the joint-municipality directed project along Winston Churchill Boulevard, HHHI was to connect the 33 load transfer customers and eliminate the load transfer arrangement with Alectra. It was also the OEB’s understanding that the hydro pole relocations relating to the 33 load transfer customers would be completed in 2019.

HHHI now advises that construction of the joint pole line has not been completed and that, therefore, HHHI cannot connect the affected load transfer customers to its distribution system before the exemption’s expiry on December 31, 2020. HHHI states that “current approvals to construct the joint pole line are dependent upon two (2) Regional governments (Region of Halton and Region of Peel) in addition to Government

¹ Section 6.5.3 of the DSC required distributors to eliminate all load transfer arrangements by June 21, 2017. This section was added to the DSC as the result of the OEB’s EB-2015-0006 code amendments proceeding, and took effect on December 21, 2015.

of Ontario involvement”. No other reasons for the project’s delay, and no updates to the project’s expected completion date, have been provided with the application.

Given the lateness of the filing of the application by HHHI and lack of sufficient evidence for consideration, the application cannot be processed prior to the expiry of the exemption. Therefore, the OEB will grant an interim extension of the previous exemption until the earlier of the date the OEB issues a final decision on the application or June 30, 2021. The exemption is continued unchanged except for the date of expiry and only applies to the 33 previously identified load transfer customers.

IT IS ORDERED THAT:

1. Halton Hills Hydro Inc. exemption from section 6.5.3 of the Distribution System Code, granted under Order EB-2016-0366 in relation to 33 load transfer customers identified in Appendix A to this Decision and Order, is extended until the earlier of June 30, 2021 or the date upon which the OEB issues its final decision on the application.

DATED at Toronto December 23, 2020

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance

APPENDIX A

Load transfer customers for which Halton Hills Hydro Inc. is granted an exemption from section 6.5.3 of the Distribution System Code until June 30, 2021:

1. 33 customers located on Winston Churchill Boulevard with the following municipal address numbers:

9118, 9190, 9206, 9218, 9250, 9278, 9294, 9296, 9362, 9368, 9402, 9420, 9438, 9446, 9550, 9564, 9580, 9584, 9590, 9610, 9616, 9618, 9626, 9636, 9652, 9674, 9690, 9714, 9734, 9738, 9754, 9774 and 9792.