



Ontario  
Energy  
Board

Commission  
de l'énergie  
de l'Ontario

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# **DECISION AND ORDER**

**EB-2022-0117**

## **ERTH POWER CORPORATION**

**Application for a Service Area Amendment**

**BY DELEGATION, BEFORE: Brian Hewson**

Vice President

Consumer Protection & Industry Performance

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**May 26, 2022**

## DECISION AND ORDER

ERTH Power Corporation (ERTH Power) filed an application with the Ontario Energy Board (OEB) on March 11, 2022, under section 74 of the *Ontario Energy Board Act, 1998* (OEB Act) for an amendment to ERTH Power's service area as described in Schedule 1 of its distribution licence ED-2002-0516. Schedule 1 of the licence sets out the service area within which ERTH Power is authorized to provide electricity distribution services.

The application has been considered by the Delegated Authority without holding a hearing pursuant to section 6(4) of the OEB Act.

ERTH Power requested the amendment to include the land legally described as Blocks 2, 3, 5, 7, 34, 38, 39, 40, and 45 of Part of Lot 3, Concession 1, Geographic Township of Goderich (Town of Goderich, formerly in the Municipality of Central Huron), in the County of Huron.

The proposed service area amendment is necessary in order that ERTH Power may provide electricity distribution services to 1695538 Ontario Inc., a developer of the Coast Goderich residential subdivision located within the Town of Goderich. The subject area is described as Coast Goderich Development Phase 1A that consists of 24 residential lots and three lots which will be open space used for storm water management. ERTH Power is currently the service provider for Phase 1 of the development. The subject area is currently located in Hydro One Networks Inc.'s (Hydro One) service territory but is contiguous to the licensed service area of ERTH Power.

The evidence filed with the application indicates that it is more economically efficient for ERTH Power to serve the development. The evidence identifies that Hydro One does not have existing infrastructure at the service location and would require a line extension across private property for approximately 1km to reach the development, while ERTH Power has an existing infrastructure with sufficient capacity that is approximately 190m away from the subject area. Therefore, ERTH Power's fully allocated connection costs are expected to be less than the equivalent costs for Hydro One. Hydro One has confirmed its support of the application through a consent letter filed as part of the application. In addition, the customer, 1695538 Ontario Inc., has indicated that it prefers ERTH Power to be their electrical service provider.

The evidence states that no assets will be stranded as a result of the proposed amendment. The evidence also shows that the rates of both distributors will be unaffected and there will be no effect on safety, reliability or service quality.

Based on the evidence, the OEB finds it to be in the public interest to approve the service area amendment proposed by ERTH Power. Hydro One's distribution licence ED-2003-0043 does not need to be amended given the manner in which Schedule 1 of Hydro One's licence is presented.

**IT IS ORDERED THAT:**

1. ERTH Power Corporation's electricity distribution licence ED-2002-0516, specifically Schedule 1 of the licence is amended to include the following:

The West Coast Huron Energy Inc. Rate Zone:

- Blocks 2, 3, 5, 7, 34, 38, 39, 40, and 45 of Part of Lot 3, Concession 1, Geographic Township of Goderich (Town of Goderich, formerly in the Municipality of Central Huron), in the County of Huron.

The amended licence is attached to this Decision and Order.

**DATED** at Toronto May 26, 2022

**ONTARIO ENERGY BOARD**

Brian Hewson  
Vice President, Consumer Protection & Industry Performance