

**Hydro One Networks Inc.**

**Service Area Amendment Application**

**Interim Order  
September 26, 2022**

Hydro One Networks Inc. (Hydro One) filed a Service Area Amendment (SAA) application (the Application) on August 18, 2022 requesting an amendment to its Electricity Distribution Licence (ED-2003-0043) to provide for the connection of one new customer located at 626 Principale St. in the Town of Casselman (Customer). The proposed service connection on the Customer's property is located in Hydro Ottawa Limited's (Hydro Ottawa) licensed distribution service area, which is immediately adjacent to Hydro One's licensed distribution service area. Hydro One has advised that the Customer supports its application.

On September 2, 2022, Hydro Ottawa submitted a "Contested Service Area Amendment Application" in response to Hydro One's Application. Hydro One filed a response to that submission on September 9, 2022, and Hydro Ottawa filed a further submission on September 23, 2022.

The OEB understands from the information provided by Hydro One and Hydro Ottawa that Hydro One has been providing a temporary 300 kVA connection to the Customer since January 2022 for construction purposes only, and that this connection cannot accommodate the estimated peak load of 1,300 kW requested by the Customer. The Customer seeks to be connected with service that will accommodate its estimated peak load by the beginning of October, 2022.

The OEB also understands that neither distributor has existing facilities that could serve the Customer's operational requirements without modification. However, Hydro One has infrastructure that lies along the subject property that can provide the required electrical capacity on time with what it describes as "minimal investment".<sup>1</sup>

Hydro Ottawa would need to extend its system approximately 850m south, crossing Highway 417, to connect the Customer at a future date. The OEB's understanding,

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<sup>1</sup> Application; p. 4

therefore, is that Hydro One is the only distributor that can meet the customer's requested October, 2022 timing.

For reasons set out in its application and reply submission, Hydro One asks the OEB to grant its requested SAA without a hearing. Hydro One refers to section 21(4) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, sched. B (OEB Act) as the basis for the OEB's authority to dispose of a proceeding without a hearing. That subsection provides:

### **No hearing**

(4) Despite section 4.1 of the *Statutory Powers Procedure Act*, the Board may, in addition to its power under that section, dispose of a proceeding without a hearing if,

- (a) no person requests a hearing within a reasonable time set by the Board after the Board gives notice of the right to request a hearing; or
- (b) the Board determines that no person, other than the applicant, appellant or licence holder will be adversely affected in a material way by the outcome of the proceeding and the applicant, appellant or licence holder has consented to disposing of a proceeding without a hearing.

Hydro One acknowledges that the current situation is unusual, in that this is a contested application, but suggests that this approach is necessary in light of the timing consideration mentioned above.

### **Findings**

It appears from the material filed to date that Hydro One and Hydro Ottawa have been in discussions about this project with the Customer and with one another for close to one and one-half years, and that since the spring of this year it has become clear that Hydro One's approach of amending its service area to include the Customer (with a corresponding amendment to remove the Customer from the Hydro Ottawa service area) may be contested by Hydro Ottawa. It should have been clear that an SAA would be required for Hydro One to serve the Customer, but Hydro One did not file its Application with the OEB until August 18, 2022 and did so with a request that the OEB dispose of the matter without a hearing on the basis of urgency. For its part, Hydro Ottawa did not provide the Customer with an Offer to Connect until August 26, 2022,

over a week after Hydro One had filed its Application, and only just over one month before the Customer's desired date for service.

In the circumstances, the OEB does not consider it appropriate for the Customer to be subjected to further delay in terms of receiving service on a timely basis. The OEB is therefore making an interim order that will allow Hydro One to provide the requested service to the Customer. The OEB will amend Hydro Ottawa's Electricity Distribution Licence (ED-2002-0556) by removing the Customer's property from the Hydro Ottawa service area, and will allow Hydro One to serve and bill the customer, all on an interim basis, pending the OEB's disposition of this proceeding.

Hydro One's Electricity Distribution Licence (ED-2003-0043) does not identify specific properties (although a small number of municipal addresses can be found in the licence). However, Hydro One's licence needs to be amended to add the Municipality of Casselman (referred to as the Village of Casselman in Hydro Ottawa's licence) to Appendix B, Tab 4 of the licence (Municipalities in which a portion of the municipality is served by the licensee and another portion of the municipality is served by another distributor), because while Hydro One already serves customers in the Municipality of Casselman who were transferred by Hydro Ottawa, that municipality is not currently shown in Appendix B, Tab 4 of the Hydro One licence as a municipality served by Hydro One.

Hydro One has asserted that it can serve the Customer from the Hydro One distribution system on time, and at a minimal cost, and the OEB expects it to do so.

The OEB is not making a determination at this time on the manner in which this Application or Hydro Ottawa's "Contested Service Area Amendment Application" will be addressed, or on the merits of either of those filings. The OEB will advise the parties as to next steps in this regard in due course.

### **Interim Order**

1. Schedule 1 of Hydro Ottawa Limited's Electricity Distributor Licence (No. ED-2002-0556) is amended by removing the property located at 626 Principale St. in the Municipality of Casselman from the Hydro Ottawa service area, on an interim basis pending the OEB's disposition of this proceeding. The property shall be added to the list of properties removed from the Hydro Ottawa Limited service area in Table 3 of Schedule 1 to the licence, with a notation that it has been removed on an interim basis.

- Hydro One Networks Inc.'s Electricity Distribution Licence (ED-2003-0043), specifically Appendix B, Tab 4 of the licence, is amended on an interim basis pending the OEB's disposition of this proceeding, as follows:

**Name of Municipality:** Municipality of Casselman

**Formerly Known As:** Village of Casselman

**Area Not Served By Networks:** The area served by Hydro Ottawa Limited, as more particularly set out in Licence No. ED-2002-0556.

- Hydro One shall provide electricity distribution service to the customer located at 626 Principale St. in the Municipality of Casselman in the manner proposed in Hydro One's Offer to Connect and bill the customer as a Hydro One customer on an interim basis, pending the OEB's disposition of this proceeding.

Please quote file number, **EB-2022-0234** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
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All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the case manager, Shuo Zhang at [Shuo.Zhang@oeb.ca](mailto:Shuo.Zhang@oeb.ca) and OEB staff counsel, James Sidlofsky at [James.Sidlofsky@oeb.ca](mailto:James.Sidlofsky@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto, September 26, 2022

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar