



EB-2008-0149

NOTICE OF APPLICATION AND HEARING

Application by Oshawa PUC Networks Inc. for a Licence Amendment to reflect an Interim Exemption from Section 6.5.4 of the Distribution System Code

The Application

Oshawa PUC Networks Inc. ("Oshawa") filed an application dated June 16, 2008 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, for an order of the Board granting Oshawa a licence amendment to reflect an interim exemption from section 6.5.4 of the Board's Distribution System Code (the "DSC"). The Board assigned file number EB-2008-0149 to the application.

Section 6.5.4 of the Distribution System Code

Section 6.5.4 of the DSC deals with long term load transfer ("LTLT") arrangements. A load transfer is a situation in which a customer is located in the licensed service area of one distributor (the "geographic distributor") but is physically served electricity by another distributor (the "physical distributor"). Section 6.5.4 of the DSC requires geographic distributors to eliminate their LTLT arrangements before January 31, 2009. This can be accomplished by either negotiating the transfer of the customers to the physical distributor or by the geographic distributor extending its system to connect the customers.

The interim exemption from section 6.5.4 of the DSC is being sought by Oshawa in order to maintain its LTLT arrangements with Hydro One Networks Inc. ("Hydro One") beyond the January 31, 2009 deadline. This request is with respect to 25 customers who are located within Oshawa's service area but are physically served by Hydro One. Oshawa intends to connect the subject customers to its distribution system by the following dates:

- 9 customers by December 31, 2009;
- 6 customers by December 31, 2010; and
- 10 customers by December 31, 2011.

Under the current arrangement, the subject customers are being charged Oshawa's current distribution rates which are lower than Hydro One's current distribution rates. If Oshawa eliminates the LTLT arrangements by connecting the subject customers to its distribution system as planned, the customers will continue to pay Oshawa's approved rates.

The exemption from section 6.5.4 of the DSC is being sought by Oshawa as follows:

1. an exemption until December 31, 2009 with respect to nine (9) customers located on Coates Road West with civic address numbers 245, 291, 345, 405, 433, 451, 655, 775 and 815.
2. an exemption until December 31, 2010 with respect to six (6) customers located on Townline Road North with civic address numbers 4626, 4580, 4220, 4420, 4336 and 4800.
3. an exemption until December 31, 2011 with respect to ten (10) customers located on properties with the following civic addresses: 38 Coates Rd E, 65 Coates Rd E, 285 Coates Road E, Ritson Rd N, 5245 Wilson Rd N #1, 5245 Wilson Rd N #2, 3572 Townline Rd N, 1590 Columbus Rd E, 1600 Conlin Rd E, and 1848 Townline Rd N.

How to see Oshawa's Application

A copy of the application and related documents are available for inspection at the Board's offices in Toronto and on its website, www.oeb.gov.on.ca. A copy can also be viewed on Oshawa's office at the addresses indicated below and may be viewed on its website.

How to Participate

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

1. Send a Letter with your Comments to the Board

Your letter with comments will be provided to the Board members deciding the application, and will be part of the public record for the application. Your letter must be received by the Board no later than **30 days** from the publication or service date of this

notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

2. Become an Observer

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board. You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact the applicants and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than 10 days from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below; however, two paper copies are also required. You must also provide a copy of your letter to the applicants.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenors are eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than 10 days from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this proceeding; and if you represent a group, a description of the group and its membership. The Board does not intend to provide for an award of costs when deciding this application. You must provide a copy of your letter of intervention to the applicants.

The Board intends to proceed with this application by way of written 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. If you object to the Board holding a written hearing, your letter of intervention must include reasons why an oral hearing is necessary.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

How to Contact Us

In responding to this Notice, please include Board file number EB-2008-0149 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number 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 no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR DO NOT REQUEST TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.

ADDRESSES

The Board:

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Board Secretary

Filings : www.errr.oeb.gov.on.ca
E-mail: Boardsec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

The Applicant:

Oshawa PUC Networks Inc.
100 Simcoe Street South
Oshawa, ON L1H 7M7
Attention: Mr. Mark Turney

E-mail: mturney@opuc.on.ca

Tel: 905-723-4626 ext. 5255
Fax: 905-723-7947

DATED at Toronto, August 20, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary