



EB-2008-0287

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF an application pursuant to
section 74 of the *Ontario Energy Board Act, 1998* by
Greater Sudbury Hydro Inc. to amend Electricity
Distribution Licence ED-2002-0559;

AND IN THE MATTER OF a request to cancel the
distribution licence of West Nipissing Energy Services
Ltd., pursuant to section 77(5) of the *Ontario Energy
Board Act, 1998*.

By delegation, before: Jennifer Lea

DECISION AND ORDER

On August 15, 2008, Greater Sudbury Hydro Inc. filed an application with the Ontario Energy Board for an amendment to licence ED-2002-0559 pursuant to section 74 of the *Ontario Energy Board Act, 1998* (the “Act”), and a request to cancel the distribution licence of West Nipissing Energy Services Ltd (“WNESL”), pursuant to section 77(5) of the Act. The Board has assigned the application file number EB-2008-0287.

The application to amend the distribution licence of Greater Sudbury Hydro Inc. arises from an amalgamation of two entities: Greater Sudbury Hydro Inc. and WNESL.

On September 16, 2005, the Board issued a decision and order in which the Board granted Greater Sudbury Hydro Inc. leave to acquire all outstanding shares in WNESL. On April 2, 2007, the Board issued a decision and order in which the Board granted Greater Sudbury Hydro Inc.’s application for leave to amalgamate with WNESL. The Board did not address any licensing matters in either of these two decisions. In its application, the Applicant indicated that as of January 24, 2008, Greater Sudbury Hydro Inc. and WNESL are

amalgamated under the name Greater Sudbury Hydro Inc. The applicant requested that the service area described in Schedule 1 of its distribution licence be amended to include the service area of WNESL. Through the amalgamation, Greater Sudbury Hydro Inc. became the licence holder of the WNESL licence.

I have proceeded to decide the application without a hearing pursuant to section 21(4)(b) of the Act since no other parties are adversely affected in a material way by the outcome of the proceeding, and the applicant has consented to disposing of the application without a hearing.

I find that it is in the public interest to grant the requested licence amendment, and to cancel the distribution licence of WNESL.

IT IS ORDERED THAT:

Schedule 1 of distribution licence ED-2002-0559 is amended so as to include the service area of West Nipissing Energy Services Ltd., and the distribution licence of West Energy Services Ltd. is cancelled. The amended licence ED-2002-0559 is attached to this decision and order.

DATED at Toronto, October 1, 2008

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects