



Ontario | Commission
Energy | de l'énergie
Board | de l'Ontario

DECISION AND ORDER

EB-2024-0227

Distribution Pole Attachment Charge for 2025

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

September 26, 2024

BACKGROUND

Pursuant to Ontario Regulation 842/21 (Electricity Infrastructure (Part VI.1 of the Act)) (Regulation) under the *Ontario Energy Board Act, 1998* (OEB Act), the Ontario Energy Board (OEB) is required to establish for each year a distribution pole attachment charge that licensed distributors must charge for the prescribed use of or access to each of the licensed distributor's distribution poles during that year.¹ Paragraph 2 of section 5(1) of the Regulation stipulates that for 2023 and subsequent years, the OEB is to set the distribution pole attachment charge by adjusting the charge set in the previous year by inflation. For that purpose, the OEB is to use the inflationary adjustment mechanism set out in the March 22, 2018 *Report of the Ontario Energy Board: Wireline Pole Attachment Charges* (that is, using the inflation factor calculated by the OEB for electricity distributors).

Section 5(3) of the Regulation states that the OEB shall set the distribution pole attachment charge without a hearing.

This Decision and Order is being issued by a delegated decision-maker without a hearing pursuant to section 6 of the OEB Act and section 5(3) of the Regulation.

DECISION

The distribution pole attachment charge for 2024, set on September 26, 2023 (EB-2023-0194), is \$37.78 per attacher, per year, per pole. To calculate the charge for 2025, that amount is being adjusted by the OEB's inflation factor for electricity distributors for 2025, which is 3.6%.² The resulting distribution pole attachment charge for 2025 is \$39.14 per attacher, per year, per pole.

Pursuant to section 5(2) of the Regulation, the 2025 distribution pole attachment charge applies to every licensed distributor that was subject to the OEB's order setting the charge for 2021 (EB-2020-0288), as well as to InnPower Corporation, which at the time

¹ Section 3 of the Regulation identifies the prescribed uses of and access to electricity infrastructure. Wireless attachments are expressly excluded.

² OEB Letter, 2025 Inflation Parameters, issued June 20, 2024.

the Regulation was made was the only distributor that had approval to charge a distributor-specific amount rather than the generic province-wide charge.

By way of exception, and as specified in section 5(4) of the Regulation, if the distribution pole attachment charge set by the OEB for 2025 conflicts with an agreement between a licensed distributor and a telecommunications entity that applies in that year, the agreement prevails over the OEB's order to the extent of the conflict. The OEB is required by section 5(6) of the Regulation to include a reference to this conflict rule in its order setting the pole attachment charge.

IT IS ORDERED THAT:

1. Effective January 1, 2025, the distribution pole attachment charge to be charged by licensed electricity distributors is \$39.14 per attacher, per year, per pole.
2. In accordance with section 5(4) of the Regulation, if the charge specified in paragraph 1 of this Order conflicts with an agreement between a licensed distributor and a telecommunications entity that applies in 2025, the agreement prevails to the extent of the conflict.

DATED at Toronto September 26, 2024

ONTARIO ENERGY BOARD

Brian Hewson

Vice President, Consumer Protection & Industry Performance