



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

DECISION AND ORDER

EB-2024-0336

HYDRO ONE NETWORKS INC. ON BEHALF OF CHATHAM X LAKESHORE LIMITED PARTNERSHIP

Application for an exemption from section 6.1.3 of the Transmission
System Code

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

November 28, 2024

DECISION AND ORDER

INTRODUCTION

This is a Decision and Order of the Ontario Energy Board (OEB) on an application filed on November 15, 2024, under section 74 of the *Ontario Energy Board Act, 1998* (OEB Act). The application was filed by Hydro One Networks Inc. (Hydro One),¹ on behalf of Chatham x Lakeshore Limited Partnership (CLLP) seeking for a temporary exemption, for CLLP, from section 6.1.3 of the Transmission System Code (TSC), until Hydro One files its updated Transmission Connection Procedures (TCP) with the OEB for approval or July 1, 2025, whichever comes earlier (the Application).

This Decision and Order is being issued by the Delegated Authority without a hearing pursuant to section 6(4) of the *Ontario Energy Board Act, 1998*. For the reasons set out below, the OEB grants the request made in the Application, to temporarily exempt CLLP from section 6.1.3 of the TSC, subject to certain conditions that are further described in this Decision and Order and amends CLLP's electricity transmission licence (ET-2024-0147) accordingly.

BACKGROUND

The OEB issued an electricity transmission licence ([ET-2024-0147](#)) to CLLP on July 25, 2024 for the purpose of owning and operating a transmission system consisting of the facility described in Schedule 1 of CLLP's electricity transmission licence.²

Section 5.1 (b) of CLLP's electricity transmission licence states:

- 5.1 The Licensee shall at all times comply with the following Codes (collectively the "Codes") approved by the Board, except where the Licensee has been specifically exempted from such compliance by the Board. Any exemptions granted to the Licensee are set out in Schedule 2 of this Licence. The following Codes apply to this Licence:

¹ A licensed electricity transmitter (OEB Electricity Transmission Licence ET-2003-0035).

² Specification of Transmission Facilities: (1) Two 230 kV transmission circuits (known as C87H and C88H) running from Chatham Switching Station in the Municipality of Chatham-Kent to Lakeshore Transformer Station in the Municipality of Lakeshore.

- a) the Affiliate Relationships Code for Electricity Distributors and Transmitters; and
- b) the Transmission System Code.

Section 6.1.3 of the TSC states:

A transmitter shall publish on its website its Board-approved connection procedures for processing requests to connect to its transmission system or to modify existing connections, and shall make those connection procedures available upon request. A transmitter's connection procedures shall be consistent with this Code and shall be consistent with and complementary to the Market Rules and the IESO's market procedures as they relate to connection.

THE APPLICATION

In the Application, Hydro One, on behalf of CLLP, has requested for a temporary exemption, for CLLP, from the requirements set out in section 6.1.3 of the TSC until Hydro One files its updated TCP with the OEB for approval or July 1, 2025, whichever comes earlier. Hydro One has stated that its updated TCP will establish a common connection procedure for CLLP, as an affiliate of Hydro One.

In the Application, Hydro One has noted that "like B2M LP and NRLP, which are single asset ownership entities, CLLP has not published an OEB-approved Transmission Connection Procedures (TCP) for processing requests to connect to its transmission system, as required by Section 6.1.3 of the TSC." Hydro One has also stated that it intends to file an updated TCP with the OEB following the conclusion of the OEB's Transmission Connections Review. Further, Hydro One has stated that it will propose in the TCP update that Hydro One's TCP would apply to all of its partnership affiliates, including CLLP.

Hydro One stated in the Application that CLLP has not received any requests from prospective customers seeking to connect to its transmission facilities. Hydro One has also stated that there is no reasonable expectation that CLLP would receive requests from prospective customers to connect to its transmission facilities.

In the Application, CLLP has committed that in the event that it receives a request for connection in the immediate or near future, CLLP shall process requests for connection in accordance with all applicable provisions of the TSC and otherwise in a manner that is reasonable and consistent with the TSC, the OEB Act, the *Electricity Act, 1998* (Electricity Act) and its electricity transmission licence.

DECISION

The OEB grants the Application for a temporary exemption to CLLP from section 6.1.3 of the TSC to allow Hydro One to file its updated TCP, including common connection procedures for CLLP. The OEB notes for Hydro One's consideration in preparing its updated TCP that CLLP is a partnership and not therefore an affiliate for the purposes of the Act.

The OEB agrees with Hydro One's proposal that it should await the conclusion of the Transmission Connections Review before submitting its updated TCP. However, the Transmission Connections Review has only recently commenced and as per Hydro One's submission it would file its updated TCP, including the proposal that the TCP will apply to CLLP, once that review is completed. In order to allow for a reasonable period to complete the filing of the updated TCP by Hydro One and the OEB's review and consideration, the OEB grants the exemption to CLLP until the earlier of the date its TCP has been approved or July 1, 2025. If the required approval of TCP should not be completed by that date, CLLP may seek an extension of the exemption.

In granting an exemption to CLLP, the OEB notes that CLLP has not received a request from a prospective customer to connect to its transmission facilities. The OEB accepts the commitment from CLLP that if it receives a request from a customer to connect to its transmission facilities in the immediate or near future, CLLP intends to process such requests for connection, and comply with the TSC, the OEB Act, Electricity Act, and its electricity transmission licence.

IT IS ORDERED THAT:

1. Schedule 2 “List of Code Exemptions” of Chatham x Lakeshore Limited Partnership’s Electricity Transmission Licence ET-2024-0147 is amended by adding the following paragraph:

“The Licensee is exempt from section 6.1.3 of the Transmission System Code as per the Board’s Decision and Order in EB-2024-0336. This exemption expires on July 1, 2025 or on the date that the Board approves the Licensee’s Transmission Connection Procedures, whichever is earlier.”

DATED at Toronto November 28, 2024

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance