



EB-2008-0311

NOTICE OF APPLICATION AND HEARING

Application by Orillia Power Distribution Corporation for a Licence Amendment to reflect an Interim Exemption from Section 6.5.4 of the Distribution System Code

The Application

Orillia Power Distribution Corporation ("Orillia Power") filed an application dated September 22, 2008 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, for an order of the Board granting Orillia Power 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-2008-0311 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 Orillia Power in order to maintain its LTLT arrangements with Hydro One Networks Inc. ("Hydro One") for two years beyond the January 31, 2009 deadline. This request is with respect to four customers who are located within Orillia Power's service area but are physically served by Hydro One. Orillia Power intends to connect these four customers to its distribution system by January 31, 2011 through a joint use of Hydro One poles and is currently in the process of negotiating an agreement with Hydro One in that regard.

The civic addresses of the lands where the four customers are located are listed below:

1. 2875 Bass Lake Side Road E
2. 725 Line 15 N
3. 875 Line 15 N
4. 885 Line 15 N

Under the current arrangement, the four customers are being charged Orillia Power's current distribution rates. If the Board grants the exemption request and Orillia Power eliminates the LTLT arrangements by connecting these customers to its distribution system as planned, the customers will continue to pay Orillia Power's approved rates.

How to see the 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 at Orillia' Power's office at the addresses indicated below and may be viewed on its website.

How to Participate in the Proceeding

The application will be decided by way of written hearing unless a party satisfies the Board that there is good reason for holding an oral hearing. If you object to a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any objections to a written hearing must be received by the Board and copied to the applicant within 10 days of the date this notice was served. The Board does not intend to provide for an award of costs when deciding this application.

If you wish to participate in the written hearing, please file a written submission setting out your views on the application with the Board and deliver it to the applicant no later than 21 days after the date this notice was served.

If the applicant wishes to respond to the submission(s), the written response must be filed with the Board and delivered to all parties who made submissions no later than 28 days after the date this notice was served.

How to File Documents with the Board

If you already have a user ID, please submit your submission through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. For instructions on how to file and naming conventions, please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. Those who do not have internet access are asked to submit their submission on a CD or diskette in PDF format, along with two paper copies. You may also send your submission by post or e-mail to the addresses below.

In responding to this Notice, please include Board file number EB-2008-0311 in the subject line of your e-mail or at the top of your document. 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 Web site 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 IF YOU DO NOT FILE A WRITTEN SUBMISSION IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THE PROCEEDING.

Addresses

(for viewing copies of the application)

The Board

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

Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)
Fax: 416-440-7656

E-mail: Boardsec@oeb.gov.on.ca

The Applicant

Orillia Power Distribution Corporation
360 West St. S.
P.O. Box 398
Orillia, ON L3V 6J9

Attention: Mr. Pat Hurley

Tel: 705-326-2495 ext. 222
Fax: 705-326-0800

E-Mail: phurley@orilliapower.ca

DATED at Toronto October 29, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary