



EB-2008-0375

## NOTICE OF APPLICATION AND HEARING

### **Application by Erie Thames Powerlines Corporation for a Licence Amendment to reflect an Interim Exemption from Section 6.5.4 of the Distribution System Code**

#### **The Application**

Erie Thames Powerlines Corporation ("Erie Thames") filed an application dated November 21, 2008 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, for an order of the Board granting Erie Thames 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-2008-0375 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 Erie Thames in order to maintain its LTLT arrangements with Hydro One Networks Inc. ("Hydro One") for two months beyond the January 31, 2009 deadline. This request is with respect to two customers who are located within Erie Thames' service area but are physically served by Hydro One. Erie Thames intends to connect these two customers to its

distribution system by April 1, 2009 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 municipal addresses of the lands where the two customers are located are listed below:

1. 751 John Street North, Aylmer
2. 783 John Street North, Aylmer

Under the current arrangement, the two customers are being charged Erie Thames' current distribution rates. If the Board grants the exemption request and Erie Thames eliminates the LTLT arrangements by connecting these customers to its distribution system as planned, the customers will continue to pay Erie Thames' 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](http://www.oeb.gov.on.ca). A copy can also be viewed at Erie Thames' 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](http://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](http://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-2008-0375 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](http://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](mailto:Boardsec@oeb.gov.on.ca)

**The Applicant**

Erie Thames Powerlines Corporation  
280 Elm Street  
Aylmer, ON N5H 3G3

Attention: Mr. Chris White

Tel: 519-773-2931  
Fax: 519-773-2978

E-Mail:  
[chrisw@erie-thamespower.com](mailto:chrisw@erie-thamespower.com)

**DATED** at Toronto December 15, 2008

ONTARIO ENERGY BOARD

*Original signed by*

Kirsten Walli  
Board Secretary