



**EB-2014-0296**

**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 86(1)(b) of the *Ontario Energy Board Act, 1998* by Hydro One Networks Inc. seeking an order granting leave to sell distribution system assets to PowerStream Inc.

By delegation, before: Peter Fraser

## **DECISION AND ORDER**

### **THE APPLICATION**

Hydro One Networks Inc. ("Hydro One") filed an application with the Ontario Energy Board on September 16, 2014 under section 86(1)(b) of the *Ontario Energy Board Act, 1998*, for an order granting Hydro One leave to sell certain distribution system assets to PowerStream Inc.

The Board assigned file number EB-2014-0296 to the application. The assets that are the subject of the proposed transaction consist of 20 poles and 3300 meters of conductor located on Steeles Ave. W, in between Hilda Avenue and Yonge Street in Thornhill, Ontario.

### **FINDINGS**

Hydro One requested, with PowerStream's consent, that the Board dispose of this matter without a hearing under section 21(4)(b) of the Act. I find, based on the evidence filed in the application, that no other person will be adversely affected in a material way by the outcome of this proceeding. I have proceeded to decide the application without a hearing pursuant to section 6(4) of the Act.

Section 86(1)(b) of the Act provides that leave of the Board is required before a transmitter or a distributor can “sell, lease or otherwise dispose of that part of its transmission or distribution system that is necessary in serving the public.” The assets that are the subject of this transaction are necessary in serving the public.

The sale of the assets is a cash sale for the price of \$17,437.68 plus HST. The sale is for the purposes of transferring ownership of assets that are located in PowerStream’s service area in Thornhill, Ontario. The sale price is based on the market value of the assets. Hydro One states that Rogers Communication Inc. (“Rogers”) is currently a joint use occupant and paying joint use rental fees to Hydro One on the poles. PowerStream has agreed to take on any joint use partners and following the proposed transaction Rogers will pay joint use rental fees to PowerStream.

After the proposed transaction PowerStream will own the assets instead of Hydro One, but there will be no change in supply. The assets currently serve and will continue to serve PowerStream customers. The applicant states that the transaction will not adversely affect the safety, reliability, quality of service or operational flexibility for customers and that there are no environmental issues associated with the transaction.

Based on the evidence, I find that there are benefits to the proposed transaction, and no negative consequences have been identified. It is therefore in the public interest to grant Hydro One leave to sell the assets described below to PowerStream.

**IT IS ORDERED THAT:**

1. Hydro One Networks Inc. is granted leave to sell 20 telephone poles and 3300 meters of conductor located on Steeles Ave. W., in between Hilda Avenue and Yonge Street, in Thornhill, Ontario to PowerStream Inc.

**ISSUED** at Toronto, October 9, 2014

**ONTARIO ENERGY BOARD**

*Original signed by*

Peter Fraser  
Vice President, Industry Operations & Performance