



EB-2011-0050

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 Hydro One Networks Inc. leave to sell
distribution assets to Bell Aliant.

By delegation, before: Jennifer Lea

DECISION AND ORDER

On February 15, 2011, Hydro One Networks Inc. (“Hydro One”) filed an application with the Ontario Energy Board under section 86(1)(b) of the *Ontario Energy Board Act, 1998* (the “Act”) for an order granting Hydro One leave to sell distribution assets to Bell Aliant (“Bell”).

The Board assigned filed number EB-2011-0050 to the application. The assets being sold in this transaction consist of 64 poles located in Nipissing Township.

Findings

Hydro One requested with Bell’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 person will be adversely affected in a material way by the outcome of this proceeding. I have therefore disposed of this matter without a hearing.

Section 86(1)(b) of the Act provides that leave of the Board is required before 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.

Hydro One and Bell share poles that both use for their service networks. A Joint Use Agreement provides that the ownership split of the joint use poles between Hydro One and Bell is based upon their respective usage of the poles. The purpose of the proposed transaction is to maintain the ownership balance between Hydro One and Bell, and to correct an error that was made at the time the poles were transferred by the developer to Hydro One.

After the proposed transaction, Bell will own the assets and be responsible for maintaining them. The assets will continue to supply the load to existing customers. The applicant states that the transaction will not adversely affect the safety, reliability, quality of service, operational flexibility or economic efficiency of Hydro One or Bell. As well, the applicant states that there will be no material impact on Hydro One ratepayers as a result of this sale.

This is a cash sale. The sale price is \$1 on an “as is, where is” basis, pursuant to the Joint Use Agreement.

I find that the proposed transaction is reasonable and is not anticipated to have any negative effects. It is therefore in the public interest to grant Hydro One leave to sell the assets described above to Bell.

IT IS ORDERED THAT

Hydro One is granted leave to sell to Bell 64 poles that consist of 36 – 45 ft. poles, 4 – 50 ft. poles, and 24 – 35 ft. poles. The assets are located on Semo Road off of Gabriel Road in Nipissing Indian Reserve 10, Garden Village in Nipissing Township.

ISSUED at Toronto, June 6, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects