



EB-2006-0332

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 74 of the *Ontario Energy Board Act, 1998* by E.L.K.
Energy Inc. to amend its Electricity Distribution Licence ED-
2003-0015.

By delegation, before: Jennifer Lea

DECISION AND ORDER

E.L.K. Energy Inc. ("E.L.K.") filed an application with the Ontario Energy Board (the "Board") under section 74 of the *Ontario Energy Board Act 1998*, (the "Act") for an order of the Board to amend its licensed service area in Schedule 1 of its distribution licence ED-2003-0015. The application was received by the Board on December 13, 2006.

This service area amendment is required in order for E.L.K. to supply electricity to the Harrow Health Centre which is currently located within Hydro One Networks Inc.'s ("Hydro One") licensed service area. These lands are described as:

- Pt Lt 12 Con Gore or 2nd Range Colchester Pt 1, 12R15021 & Pt2, 12R16478; Essex.

E.L.K. requested that the Board proceed with the application in an expeditious manner without a hearing, pursuant to subsection 21(4)(b) of the Act.

The service area amendment is granted.

Background

Pursuant to subsection 6(1) of the Act, I have been delegated the powers and duties of the

Board with respect to the determination of applications made under section 74 of the Act. This order is made under the authority of that delegation and is based on the evidence filed in support of the application and the submissions of the interested parties.

E.L.K. applied for a service area amendment for the purpose of supplying electricity to a new customer, the Harrow Health Centre. E.L.K. will be required to construct 0.12 kilometres of 27.6 kV three phase underground distribution line to connect the customer to the existing overhead circuit. In addition, E.L.K. will have to install one new utility pole to allow for the connection of the extension to its distribution system.

Hydro One and the Harrow Health Centre have consented to this service area amendment. Hydro One stated that no Hydro One assets will be stranded if the amendment is granted by the Board.

E.L.K. has stated that there are no other customers of either E.L.K. or Hydro One affected by the proposed service area amendment.

I have proceeded without a hearing under section 21(4)(b) of the Act as no person will be adversely affected in a material way by the outcome of this proceeding.

Licensed Service Area

Since the proposed amendment is consistent with the Board's policies regarding service area amendments, I find that it is in the public interest to amend E.L.K.'s electricity distribution licence as proposed by E.L.K.

IT IS ORDERED THAT:

E.L.K. Energy Inc.'s Distribution Licence (ED-2003-0015) is amended as per Appendix A, which is attached to this Decision and Order.

Under section 7(1) of the Act, this decision may be appealed to the Board within 15 days.

DATED at Toronto, January 4, 2007

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Special Advisor
Market Operations

Appendix A

AMENDED SCHEDULE 1: DEFINITION OF DISTRIBUTION SERVICE AREA

SCHEDULE 1 DEFINITION OF DISTRIBUTION SERVICE AREA

This Schedule specifies the area in which the Licensee is authorized to distribute and sell electricity in accordance with paragraph 8.1 of this Licence.

1. The Town of Belle River as of December 31, 1997, now part of the Town of Lakeshore.
2. The Police Village of Comber as of December 31, 1998, now part of the Town of Lakeshore.
3. The Village of Cottam as of December 31, 1998, now part of the Town of Kingsville.
4. The Town of Essex as of December 31, 1998.
5. The Town of Harrow as of December 31, 1998, now part of the Town of Essex.
6. The Town of Kingsville as of December 31, 1998.
7. Plan 12R-311, Parts 1 through 6. Specifically in the Town of Essex (formerly Township of Colchester North), in the County of Essex, being part of Lots 17 and 18, Concession 13.
8. Pt Lt 283 Con Ntr Maidstone; Pt Lt 283 Con Ntr including Blocks 36 to 39 Maidstone (Essex) Pt 1, 2R5880 Except Pt1, 12R6417, Pt1, 12R8554, Pt1, 12R10473 and Pt 1 and 2, 12R16870, Lakeshore.
9. Pt Lt 12 Con Gore or 2nd Range Colchester Pt 1, 12R15021 & Pt2, 12R16478; Essex.