

<b>Newmarket-Tay Power Distribution Ltd.</b>	<b>Number:</b> NT POWERCOS-210-05
<b>Conditions of Service</b>	<b>Issue Date:</b> July, 2007
<b>Relocation of Plant</b>	<b>Next Review Date:</b> November, 2012

## 1. Preamble

From time to time parts of the *distribution system* may have to be relocated. The need may be originated by Newmarket-Tay Power Distribution Ltd. (NT POWER), or by the requirements of another party. Different originators of the request will cause the relocation to occur under differing circumstances.

## 2. Originated By Newmarket-Tay Power Distribution Ltd.

When part of the *distribution system* requires relocation because of a NT POWER requirement, all costs will be borne by NT POWER. These costs will be included in its rate base. The specifications for the project, and work procedures, will be the same as if it was for a government agency, a private company, or a *developer*. The cost of relocating third party facilities located on NT POWER *distribution system* shall be borne by the third party or as specified in an existing Agreement.

## 3. Originated By Government Agency

When requested to relocate part of the *distribution system*, NT POWER will exercise its rights, and discharge its obligations, in accordance with existing acts, by-laws and regulations, including the Public Service Works on Highways Act, formal agreements, easements and law.

## 4. Originated By Another Party

When requested to relocate part of the *distribution system*, NT POWER will exercise its rights and discharge its obligations in accordance with existing acts, by-laws, regulations, formal agreements, easements and law. In the absence of existing agreements, NT POWER shall not be obligated to relocate the *distribution system*. However, NT POWER shall resolve the issue in a fair and reasonable manner. Resolution in a fair and reasonable manner will include a response to the requesting party that explains the feasibility, or unfeasibility, of the relocation, and a fair and reasonable charge for relocation based on cost recovery principles.

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