



RP-2004-0203
EB-2005-0305

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15, Schedule B;

AND IN THE MATTER OF an application by Bluewater
Power Distribution Corporation seeking an order to make
changes to its Conservation and Demand Management
plan;

AND IN THE MATTER OF an application by Bluewater
Power Distribution Corporation under section 21(4)(b) of
the *Ontario Energy Board Act, 1998*, seeking to dispose of
the proceeding without a hearing.

BEFORE: Gordon Kaiser
Presiding Member and Vice Chair

Cathy Spoel
Member

DECISION AND ORDER

Bluewater Power Distribution Corporation ("Bluewater Power") filed an application, dated June 7, 2005 for an Order to approve changes to its Conservation and Demand Management ("CDM") plan. Bluewater Power has requested, pursuant to subsection 21(4)(b) of the *Ontario Energy Board Act, 1998* (the "Act") that the Ontario Energy Board (the "Board") dispose of the proceeding without a hearing. The Board has assigned file number RP-2004-0203 / EB-2005-0305 to the application.

On March 15, 2005, Bluewater Power was granted approval of its CDM plan. As a condition of approval, Bluewater Power was ordered to apply to the Board for

approval if cumulative fund transfers among programs exceeded 20% of the approved budget.

Bluewater Power's approved CDM plan allocated \$133,000 to a load control program. However, Bluewater Power was unable to reach an agreement with the meter provider that would have facilitated the load control program, and therefore seeks to re-allocate these funds

Bluewater Power proposes that the \$133,000 of capital expenditures previously allocated to the load control program be re-allocated to one existing program and one new program. Bluewater Power proposes that \$33,000 be allocated to a program targeted at low income consumers and \$100,000 be allocated to a residential and small commercial energy audit program.

Bluewater Power has asked the Board to dispose of this matter without a hearing pursuant to section 21(4)(b) of the Act which states that the Board may dispose of a proceeding without a hearing if the Board determines that "no person, other than the applicant, appellant or licence holder will be adversely affected in a material way by the outcome of the proceeding, and the applicant, appellant or licence holder has consented to disposing of a proceeding without a hearing".

Bluewater Power issued public notice of its original CDM application (RP-2004-0203 / EB-2004-0423) on January 29, 2005 and no parties intervened. Based on the evidence filed, and in consideration of the level of participant involvement in the original proceeding, the Board finds that no person will be adversely affected in a material way by the outcome of this proceeding, and therefore finds that a hearing is not necessary.

The Board finds that the activities proposed by Bluewater Power qualify as CDM activities.

The Board approves the re-allocation of funds into the low income and residential and small commercial energy audit programs.

THE BOARD ORDERS THAT:

1. Bluewater Power Distribution Corporation is granted approval to re-allocate \$133,000 of capital expenditures previously allocated to the load control program into the low income and residential and small commercial energy audit programs.

DATED at Toronto, July 7, 2005.

ONTARIO ENERGY BOARD

Peter H. O'Dell
Assistant Board Secretary