



RP-2004-0203
EB-2004-0530

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 Essex Powerlines
Corporation for a Final Order Pre-approving its Conservation
and Demand Management Plan.

BEFORE: Gordon Kaiser
Vice Chair and Presiding Member

George Dominy
Member

Cathy Spoel
Member

FINAL ORDER

Essex Powerlines Corporation (Essex Powerlines) has filed an application dated November 30, 2004 with the Ontario Energy Board for a Final Order pre-approving its Conservation and Demand Management (CDM) Plan. The Board assigned File No. RP-2004-0203 / EB-2004-0530 to this application.

A Notice of Application and Written Hearing was issued by the Board on January 10, 2004. Essex Powerlines served and published the Notice as directed by the Board. The intervention period expired on January 23, 2005. There were no intervenors.

On May 31, 2004, the Minister of Energy granted approval to all distributors in Ontario to apply to the Board for an increase in their 2005 rates by the third installment of their

incremental market adjusted revenue requirement (MARR). This approval is conditional on a commitment to reinvest an equivalent amount in CDM initiatives.

On October 5, 2004, the Board issued a Procedural Order (the Procedural Order) which addressed the opening of deferral accounts; the recovery of development expenses; the process for applying for plan approval; and the filing requirements for plan approval. Pursuant to the Procedural Order all electricity distribution companies, including Essex Powerlines, received authorization to establish a deferral account.

The elements of Essex Powerlines's CDM Plan for residential customers are: an energy awareness program, promotion of compact fluorescent lights, promotion of LED seasonal lights, energy seminars and load control. The elements of the CDM Plan for commercial customers are: an energy manager web based tool, price alert / control signal and energy seminars. Other programs include stand by and co-generation projects, a municipal leadership program and distribution loss reduction.

The total budget for the CDM plan is \$699,904. This amount is consistent with the third installment of its incremental MARR.

The Board finds that the activities and programs proposed by Essex Powerlines qualify as conservation and demand management activities and that the planned investments are eligible for tracking in the deferral account.

The Board approves the expenditure of \$699,904 for implementation of the CDM Plan, which is consistent with the amount of the third installment of Essex Powerlines's incremental MARR.

The Board requires that Essex Powerlines file with the Board quarterly and annual reports on the progress of the initiatives included in the approved CDM Plan. The annual reports will be subject to public review.

The Board understands that the approved CDM Plan and the associated budget allocation to the individual programs may be subject to modifications. The Board requires that all modifications be identified in the quarterly and annual reports. In addition, Essex Powerlines shall apply to the Board for approval for modifications of spending above 20% of the approved budget.

IT IS ORDERED THAT:

1. Essex Powerlines Corporation is granted a final approval of the Conservation and Demand Management Plan as submitted for the Board's review in the application dated November 30, 2004. This investment satisfies the Minister of Energy's condition of a financial commitment to reinvest the equivalent of one year of incremental market adjusted revenue requirement in conservation and demand management. The approved total budget is \$699,904.
2. Essex Powerlines Corporation shall file with the Board quarterly and annual reports on the progress of the initiatives within its Conservation and Demand Management Plan.
3. The quarterly reports shall be filed no later than 30 days after the end of each calendar quarter.
4. The annual reports shall be filed no later than March 31 of the following year. The annual reports shall be subject to public review. The annual report shall include a cost benefit analysis on the program included in the Conservation and Demand Management Plan.
5. Essex Powerlines Corporation shall apply to the Board for approval if cumulative fund transfers among programs exceed 20% of the approved budget.

6. Essex Powerlines Corporation may credit the costs of preparing its Conservation and Demand Management application and participation in the hearing including intervenor and Board costs against the amount required to be spent on its Conservation and Demand Management Plan budget.

DATED at Toronto, March 3, 2005

ONTARIO ENERGY BOARD

Peter H. O'Dell
Assistant Board Secretary