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**EB-2004-0497**

**RP-2004-0203**

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

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**AND IN THE MATTER OF** an Application by Newmarket  
Hydro Ltd. Inc. under the Ontario Energy Board Act, 1998 for  
approval of its Conservation and Demand Management Plan.

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**Before:**

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Gordon Kaiser  
Vice-Chair and Presiding Member

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George Dominy  
Member

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Cathy Spoel  
Member

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**INTERIM ORDER**

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Newmarket Hydro Ltd. Inc. (Newmarket Hydro) filed an application dated November 10, 2004 with the Ontario Energy Board (the Board) for an interim order pre-approving its Conservation and Demand Management (CDM) Plan. The Board assigned File No. RP-2004-0203/EB-2004-0497 to this application.

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The Minister of Energy by letters dated May 31, 2004 granted written approval to all distributors to apply to the Board for approval to establish deferral accounts to record costs incurred with respect to conservation and demand management activities.

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On October 5, 2004, the Board issued a Procedural Order (the Procedural Order) which addresses the opening of deferral accounts; the recovery of development expenses; the process for applications for plan approval; and filing requirements for plan approval.

Pursuant to the Procedural Order all utilities, including Newmarket Hydro, have received authorization to establish a deferral account.

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The budget for Newmarket Hydro's CDM plan consists of \$ 25,000 for URB Gateway Pilot Project; \$ 879,400 for Partnerships Building; \$ 50,000 for Energy Education Program; \$ 70,000 for various potential programs/discretionary expenses; and \$ 145,600 for program development and monitoring. The total proposed budget is \$ 1,200,000.

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The Board finds that the activities and programs proposed by Newmarket Hydro qualify as conservation and demand management activities and that the planned investments are eligible for tracking in the deferral account. The third installment of Newmarket Hydro's Market Adjusted Revenue Requirement (MARR) is about \$1,267,010. The total CDM budget proposed by Newmarket Hydro is \$1,200,000. The Board, at this time, approves on an interim basis the expenditure of \$ 1,200,000 for implementation of the CDM Plan, which is consistent with the amount of the third installment of Newmarket Hydro's MARR.

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**THE BOARD THEREFORE ORDERS THAT:**

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1. Newmarket Hydro Ltd. is granted an interim approval of the Conservation and Demand Management Plan submitted for the Board's review in the application dated November 10, 2004. The approved budget is \$1,200,000.
2. This interim order is effective as of November 29, 2004 until replaced by a final order.

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DATED at Toronto, November 29, 2004.

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ONTARIO ENERGY BOARD

Peter H. O'Dell  
Assistant Board Secretary