



**RP-2004-0203**  
**EB-2004-0512**

**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 Tay Hydro Electric  
Distribution Company Inc. 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**

Tay Hydro Electric Distribution Company Inc. (Tay Hydro) has filed an application dated November 25, 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-2004-0512 to this application.

A Notice of Application and Written Hearing was issued by the Board on December 16, 2004. Tay Hydro served and published the Notice as directed by the Board. The intervention period expired on January 3, 2005. There are 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 Tay Hydro, received authorization to establish a deferral account.

The elements of Tay Hydro's CDM Plan are as follows: an education and promotion program, a school conservation and safety program, a distribution system optimization study, and, a CDM Plan development expense.

The total budget for the CDM plan is approximately \$59,000. This amount is consistent with the third installment of its incremental MARR.

The Board finds that the activities and programs proposed by Tay Hydro 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 \$59,000 for implementation of the CDM Plan, which is consistent with the amount of the third installment of Tay Hydro's incremental MARR.

The Board requires that Tay Hydro 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, Tay Hydro shall apply to the Board for approval for modifications of spending above 20% of the approved budget.

**IT IS ORDERED THAT:**

1. Tay Hydro Electric Distribution Company Inc. is granted a final approval of the Conservation and Demand Management Plan as submitted for the Board's review in the application dated November 25, 2004. This investment satisfies the Minister of Energy's conditions of a financial commitment to reinvest the equivalent of one years incremental market adjusted revenue requirement in conservation and demand management. The approved total budget is \$59,000.
2. Tay Hydro Electric Distribution Company Inc. 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. Tay Hydro Electric Distribution Company Inc. shall apply to the Board for approval if cumulative fund transfers among programs exceed 20% of the approved budget.
6. Tay Hydro Electric Distribution Company Inc. 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 Tay Hydro Electric Distribution Company Inc.'s Conservation and Demand Management Plan budget.

DATED at Toronto, February 7, 2005.

ONTARIO ENERGY BOARD

*Original signed by*

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Peter H. O'Dell  
Assistant Board Secretary