



RP-2004-0203
EB-2004-0526

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 Whitby Hydro
Energy Services 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

Whitby Hydro Energy Services Corporation (Whitby Hydro) 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-2004-0526 to this application.

A Notice of Application and Written Hearing was issued by the Board on December 15, 2004. Whitby Hydro served and published the Notice as directed by the Board. The intervention period expired on December 29, 2004. 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 Whitby Hydro, received authorization to establish a deferral account.

The elements of Whitby Hydro's CDM Plan are as follows: research into combined diesel and natural gas (bi-fuel) generator technologies, sub-metering for multi-user facilities and remote communication load control initiatives, the conversion and upgrade of Whitby Hydro's diesel generator to bi-fuel, the conversion and upgrade of the Town of Whitby Municipal Building diesel generator to bi-fuel, incentives for industrial, commercial and municipal customers to install bi-fuel generators, incentives for the upgrading of lighting and heating in Durham Non-Profit Housing, a power factor correction program for residential electrical loads, incentives for industrial customers to improve their power factors, incentives to landlords to install sub-metering systems, education and training in conservation and demand management, distribution system improvements and a pilot smart meter program.

The total budget for the CDM plan is approximately \$1,300,000. This amount is consistent with the third installment of its incremental MARR.

The Board finds that the activities and programs proposed by Whitby 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 \$1,300,000 for implementation of the CDM Plan, which is consistent with the amount of the third installment of Whitby Hydro's incremental MARR.

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

IT IS ORDERED THAT:

1. Whitby Hydro Energy Services 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 \$1,300,000.
2. Whitby Hydro Energy Services 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. Whitby Hydro Energy Services Corporation shall apply to the Board for approval if cumulative fund transfers among programs exceed 20% of the approved budget.

6. Whitby Hydro Energy Services 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, February 17, 2005

ONTARIO ENERGY BOARD

Peter H. O'Dell
Assistant Board Secretary