



EB-2007-0765

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 PowerStream Inc. seeking a decision and order to make changes to its Conservation and Demand Management plan;

AND IN THE MATTER OF an application by PowerStream Inc. 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

PowerStream Inc. (“PowerStream” or the “Applicant”) filed an application, dated September 14, 2007 for a decision and order seeking an extension of third tranche spending of its approved Conservation and Demand Management (“CDM”) plan. PowerStream has also 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 assigned file number EB-2007-0779 to this application.

On February 3, 2005, PowerStream was granted approval of its CDM plan. The total approved budget for PowerStream’s CDM plan is \$6,400,000.

PowerStream seeks an extension of the completion date for third tranche CDM expenditures (RP-2004-0203/EB-2004-0486) from September 30, 2007 to September 30, 2008 due to various timeline constraints.

PowerStream has also requested that the Board dispose of this matter without a hearing pursuant to section 21(4)(b) of the Act. Section 21(4)(b) of the Act 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.”*

The Board approves the deadline extension to complete CDM activities to September 30, 2008 as proposed by PowerStream.

THE BOARD ORDERS THAT:

PowerStream Inc. is granted an extension to the completion date of third tranche CDM activities to September 30, 2008.

DATED at Toronto, November 19, 2007

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary