



EB-2007-0705

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 Kingston Electricity Distribution Limited seeking a decision and order to make changes to its Conservation and Demand Management plan;

AND IN THE MATTER OF an application by Kingston Electricity Distribution Limited 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

Kingston Electricity Distribution Limited (“Kingston” or the “Applicant”) filed an application, dated July 18, 2007 for a decision and order seeking an extension and reallocation of funds in relation to incremental third tranche spending of its approved Conservation and Demand Management (“CDM”) plan. Kingston 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-2007-0705 to this application.

On February 17, 2005, Kingston was granted approval of its CDM plan. The total approved budget for Kingston’s CDM plan is \$175,000.

Kingston seeks an extension of the completion date for incremental third tranche CDM expenditures (RP-2004-0203/EB-2004-0541) from September 30, 2007 to April 30, 2008 due to various timeline constraints.

Kingston also seeks approval to reallocate CDM funds between various previously approved programs in the amount of \$85,000 from the Electric Hot Water Tank Efficiencies (\$40,000) and System Optimization / Reduction of Distribution Losses (\$45,000) to the new category titled "Energy Efficiencies" which encompasses its previously approved Lighting Programs and Fuel Switching Programs.

Kingston states that due to insufficient opportunities they were unable to proceed with the Electric Hot Water Tank Efficiencies program. The Applicant also stated that after a review of its System Optimization/Reduction of Distribution Losses that opportunities were evident; however sufficient time to proceed with the program was not available.

Kingston 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.*"

Kingston issued public notice of its original CDM application (RP-2004-0203/EB-2004-0541) as directed by the Board. There were no intervenors in the application.

The Board approves the deadline extension to complete CDM activities to April 30, 2008 as proposed by Kingston. The Board also approves the reallocation of funds in the amount of \$85,000 from the Electric Hot Water Tank Efficiencies (\$40,000) and System Optimization / Reduction of Distribution Losses (\$45,000) to the new category titled "Energy Efficiencies" which encompasses its previously approved Lighting Programs and Fuel Switching Programs.

THE BOARD ORDERS THAT:

1. Kingston Electricity Distribution Limited is granted an extension to the completion date of third tranche CDM activities to April 30, 2008.

2. Kingston Electricity Distribution Limited is granted approval to reallocate funds in the amount of \$85,000 from the Electric Hot Water Tank Efficiencies (\$40,000) and System Optimization / Reduction of Distribution Losses (\$45,000) to the new category titled "Energy Efficiencies" which encompasses its previously approved Lighting Programs and Fuel Switching Programs.

DATED at Toronto, September 28, 2007

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary