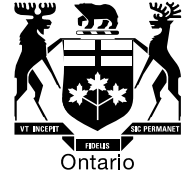


**Ontario Energy
Board**

**Commission de
l'énergie de l'Ontario**



EB-2008-0227

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 EnWin
Utilities Ltd. for an order approving or fixing just and
reasonable rates and other charges for the distribution of
electricity to be effective May 1, 2009.

BEFORE: Cathy Spoel
Presiding Member

Pamela Nowina
Member and Vice-Chair

RATE ORDER

EnWin Utilities Ltd. (“EnWin” or the “Applicant”) is a licensed distributor of electricity providing service to consumers within its licensed service area, the City of Windsor. On September 18, 2008, EnWin filed an application with the Ontario Energy Board (the “Board”) for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2009.

The Board assigned the application file number EB-2008-0227 and issued a Notice of Application and Hearing dated October 1, 2008. The Association of Major Power Consumers in Ontario (AMPCO), the School Energy Coalition (SEC), the Ford Motor Company (Ford), the Consumers Council of Canada (CCC), the Vulnerable Energy Consumers Coalition (VECC) and the Canadian Manufacturers and Exporters (“CME”) were granted intervenor status in this proceeding.

A Settlement Conference was held on February 2, 2009. Settlement was achieved on all but one issue (*Issue 7.2 - Are the Proposed Revenue to Cost ratios Appropriate?*), as set out in the Settlement Proposal that was filed with the Board on February 13, 2009. On February 19, 2009 the Board reviewed the Settlement Proposal and accepted the agreement as filed by the parties.

As part of the Settlement Proposal, parties agreed that the remaining issue could be addressed by way of written submissions.

Written submissions were received from AMPCO, CCC, VECC, SEC and Board staff. The hearing closed with the filing of EnWin's reply argument on March 12, 2009.

The Board's Decision and Order regarding the Application was issued on April 9, 2009 (the "Decision and Order"). In the Decision and Order, the Board ruled on the remaining issue and ordered that EnWin file a Draft Rate Order reflecting the Settlement Proposal and the Board's Decision. The Board indicated that it expected EnWin to file detailed supporting material, including all relevant calculations showing the impact of the Settlement Proposal and the Board's decision on Issue 7.2, on EnWin's proposed revenue requirement, the allocation of the approved revenue requirement to the classes and the determination of the final rates.

EnWin filed a Draft Rate Order on April 20, 2009. The intervenors in this proceeding had the opportunity to file comments within 7 days from the date of the filing of the Draft Rate Order.

The Board received comments from Board staff which posed questions on three aspects of the Draft Rate Order concerning the reduction in income tax, lower short term debt costs and the overall revenue reconciliation in the Draft Rate Order. No comments were received from AMPCO, CCC, CME, Ford, SEC, or VECC.

Enwin responded to the Board staff questions with additional documentation on April 27, 2009.

The Board has reviewed the information provided and the proposed Tariff of Rates and Charges and is satisfied that the document accurately reflects the Settlement Proposal and the Board's Decision and Order.

For completeness, the Board has included in the Tariff of Rates and Charges, the charges pertaining to services provided to retailers or consumers with respect to the supply of competitive electricity, which are referenced in Chapter 12 of the 2006 Electricity Distribution Rate Handbook.

The full record of this proceeding is available at the Board's offices.

THE BOARD ORDERS THAT:

1. The Tariff of Rates and Charges set out in Appendix "A" of this Rate Order is approved, effective May 1, 2009, for electricity consumed or estimated to have been consumed on and after May 1, 2009.
2. The Tariff of Rates and Charges set out in Appendix "A" of this Order supersedes all previous distribution rate schedules approved by the Board for EnWin and is final with the exception of the standby rates which remain interim.
3. EnWin shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, May 1, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

To The Rate Order Arising from Decision and Order
EB-2008-0227

EnWin Utilities Ltd.

DATED: May 1, 2009

EnWin Utilities Ltd.

TARIFF OF RATES AND CHARGES

Effective May 1, 2009

This schedule supersedes and replaces all previously approved schedules of Rates, Charges and Loss Factors

EB-2008-0227

APPLICATION

- The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Codes, Guidelines or Orders of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.
- No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code, Guideline or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.
- This schedule does not contain any rates and charges relating to the electricity commodity (e.g. the Regulated Price Plan).

EFFECTIVE DATES

DISTRIBUTION RATES - May 1, 2009 for all consumption or deemed consumption services used on or after that date.
 SPECIFIC SERVICE CHARGES - May 1, 2009 for all charges incurred by customers on or after that date.
 RETAIL SERVICE CHARGES – May 1, 2009 for all charges incurred by retailers or customers on or after that date.
 LOSS FACTOR ADJUSTMENT – May 1, 2009 unless the distributor is not capable of prorating changed loss factors jointly with distribution rates. In that case, the revised loss factors will be implemented upon the first subsequent billing for each billing cycle.

SERVICE CLASSIFICATIONS

Residential

A customer qualifies for residential rate classification if their service is a 120/240 V single-phase supply to a single family dwelling, duplex, triplex, 4-plex or 6-plex, townhome or multi-unit – individually metered apartment, located on a parcel of land zoned by the City of Windsor Building Department for domestic or household purposes and where the customer uses the dwelling as a home. Where a customer operates an advertised business from a building that may or may not be used as a dwelling, EnWin Utilities Ltd. may elect to deem that the customer's rate class will be General Service.

General Service Less Than 50 kW

A non-residential customer qualifies for a rate classification of General Service Less Than 50 kW if within the last 24 months its monthly peak demand load has not exceeded 50 kW or for a new customer is not expected to exceed 50 kW. On a temporary basis, existing General Service Less Than 50 kW customers whose monthly peak demand has exceeded 50 kW but less than 100 kW in the last 24 months, shall not be reclassified to a General Service 50 to 4,999 kW rate class in order to comply with OEB Decision with Reasons – RP-2000-0069.

General Service 50 to 4,999 kW

A non-residential customer qualifies for a rate classification of General Service 50 to 4,999 kW if within the last 24 months its monthly peak demand load has equaled or exceeded 50 kW or for a new customer is expected to equal or exceed 50 kW but be less than 5,000 kW. On a temporary basis, existing General Service Less Than 50 kW customers whose monthly peak demand has exceeded 50 kW but less than 100 kW in the last 24 months, shall not be reclassified to a General Service 50 to 4,999 kW rate class in order to comply with OEB Decision with Reasons – RP-2000-0069.

General Service 3,000 to 4,999 kW – Intermediate Use

A customer is in this class when its individual load is equal to or over 3,000 kW but less than 5,000 kW, averaged over 12 consecutive months and was classified as Time of Use prior to market opening. The premises for this class of customer is considered a structure or structures located on a parcel of land occupied by one customer and is predominantly used for intermediate sized commercial, institutional or industrial purposes.

Large Use - Regular

A customer is in the regular large use rate class when its monthly peak load, averaged over 12 consecutive months, is equal to or greater than 5,000 kW. The premises for this class of customer is predominantly used for large industrial or institutional purposes located on a parcel of land occupied by a single customer.

Large Use – 3TS

This classification applies to a customer whose monthly peak load, averaged over 12 consecutive months, is equal to or greater than 5,000 kW and the premise is serviced by a dedicated Transformer Station.

EnWin Utilities Ltd.

TARIFF OF RATES AND CHARGES

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Large Use – Ford Annex

This classification applies to a customer whose monthly peak load, averaged over 12 consecutive months, is equal to or greater than 5,000 kW and the premise is serviced by the dedicated Ford Annex Transformer Station.

Unmetered Scattered Load

This classification applies to an account taking electricity at 750 volts or less whose average monthly maximum demand is less than, or is forecast to be less than, 50 kW and the consumption is unmetered. Such connections include cable TV power packs, bus shelters, telephone booths, traffic lights, railway crossings, etc.

Standby Power

This classification refers to an account that has Load Displacement Generation and requires the distributor to provide back-up service.

Sentinel Lighting

This classification refers to an account for exterior parkway lighting with various parties, controlled by photo cells.

Street Lighting

This classification refers to an account for roadway lighting with the City of Windsor, controlled by photo cells. The consumption for these customers will be based on the calculated load times the required lighting times established in the approved OEB street lighting load shape profile.

MONTHLY RATES AND CHARGES**Residential**

Service Charge	\$	11.70
Distribution Volumetric Rate	\$/kWh	0.0195
Deferral Account Rate Rider – effective until April 30, 2011	\$/kWh	(0.0003)
LRAM & SSM Rate Rider – effective until April 30, 2011	\$/kWh	0.0003
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0057
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0041
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	26.18
Distribution Volumetric Rate	\$/kWh	0.0162
Deferral Account Rate Rider – effective until April 30, 2011	\$/kWh	(0.0006)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0052
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0038
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 50 to 4,999 kW

Service Charge	\$	105.09
Distribution Volumetric Rate	\$/kW	4.8058
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.3664)
LRAM & SSM Rate Rider – effective until April 30, 2011	\$/kW	0.0479
Retail Transmission Rate – Network Service Rate	\$/kW	1.8005
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.3332
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

EnWin Utilities Ltd.

TARIFF OF RATES AND CHARGES

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General Service 3,000 to 4,999 kW – Intermediate Use

Service Charge	\$	2,089.71
Distribution Volumetric Rate	\$/kW	1.9310
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.4535)
Retail Transmission Rate – Network Service Rate	\$/kW	2.4402
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.8069
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Large Use -- Regular

Service Charge	\$	7,572.77
Distribution Volumetric Rate	\$/kW	2.1828
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.5950)
LRAM & SSM Rate Rider – effective until April 30, 2011	\$/kW	0.0006
Retail Transmission Rate – Network Service Rate	\$/kW	2.4778
Retail Transmission Rate – Line Connection Service Rate	\$/kW	0.5365
Retail Transmission Rate – Transformation Connection Service Rate	\$/kW	1.3196
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Large Use – 3TS

Service Charge	\$	26,814.36
Distribution Volumetric Rate	\$/kW	2.7240
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.5909)
LRAM & SSM Rate Rider – effective until April 30, 2011	\$/kW	0.0008
Retail Transmission Rate – Network Service Rate	\$/kW	2.4778
Retail Transmission Rate – Line Connection Service Rate	\$/kW	0.5365
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Large Use – Ford Annex

Service Charge	\$	101,549.44
Distribution Volumetric Rate	\$/kW	n/a
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.4921)
Retail Transmission Rate – Network Service Rate	\$/kW	2.4778
Retail Transmission Rate – Line Connection Service Rate	\$/kW	0.5365
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Unmetered Scattered Load

Service Charge (per connection)	\$	10.16
Distribution Volumetric Rate	\$/kWh	n/a
Deferral Account Rate Rider – effective until April 30, 2011 (per connection)	\$	(0.16)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0052
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0038
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Standby Power – Approved on an Interim Basis

Standby Charge – for a month where standby power is not provided. The charge is applied to the contracted amount (e.g. nameplate rating of the generation facility).	\$/kW	0.5589
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EnWin Utilities Ltd.

TARIFF OF RATES AND CHARGES

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Sentinel Lighting

Service Charge (per connection)	\$	10.27
Distribution Volumetric Rate	\$/kW	n/a
Deferral Account Rate Rider – effective until April 30, 2011 (per connection)	\$	0.21
Retail Transmission Rate – Network Service Rate	\$/kW	1.6474
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.2198
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Street Lighting

Service Charge (per connection)	\$	3.79
Distribution Volumetric Rate	\$/kW	n/a
Deferral Account Rate Rider – effective until April 30, 2011 (per connection)	\$	0.10
Retail Transmission Rate – Network Service Rate	\$/kW	1.6453
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.2184
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Specific Service Charges

Customer Administration		
Arrears Certificate	\$	15.00
Pulling Post Dated Cheques	\$	15.00
Easement Letter	\$	15.00
Account History	\$	15.00
Credit reference/credit check (plus credit agency costs)	\$	15.00
Returned Cheque Charge (plus bank charges)	\$	15.00
Account set up charge/change of occupancy charge (plus credit agency costs if applicable)	\$	30.00
Special meter reads	\$	30.00
Meter dispute charge plus Measurement Canada fees (if meter found correct)	\$	30.00
Dispute Test – Residential	\$	50.00
Dispute Test – Commercial self contained -- MC	\$	105.00
Dispute Test – Commercial TT -- MC	\$	180.00
Non-Payment of Account		
Late Payment - per month	%	1.50
Late Payment - per annum	%	19.56
Collection of account charge – no disconnection	\$	30.00
Disconnect/Reconnect Charge -- At Meter During Regular Hours	\$	65.00
Disconnect/Reconnect Charge -- At Meter After Hours	\$	185.00
Service Layout - Residential	\$	110.00
Service Layout - Commercial	\$	150.00
Overtime Locate	\$	60.00
Disposal of Concrete Poles	\$	95.00
Missed Service Appointment	\$	65.00
Service Call – Customer Owned Equipment	\$	30.00
Same Day Open Trench	\$	170.00
Scheduled Day Open Trench	\$	100.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35

EnWin Utilities Ltd.

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Allowances		
Transformer Allowance for Ownership - per kW of billing demand/month	\$/kW	(0.60)
Primary Metering Allowance for transformer losses – applied to measured demand and energy	%	(1.00)

Retail Service Charges (if applicable)

Retail Service Charges refer to services provided by a distributor to retailers or customers related to the supply of competitive electricity

One-time charge, per retailer, to establish the service agreement between the distributor and the retailer	\$	100.00
Monthly Fixed Charge, per retailer	\$	20.00
Monthly Variable Charge, per customer, per retailer	\$/cust.	0.50
Distributor-consolidated billing charge, per customer, per retailer	\$/cust.	0.30
Retailer-consolidated billing credit, per customer, per retailer	\$/cust.	(0.30)
Service Transaction Requests (STR)		
Request fee, per request, applied to the requesting party	\$	0.25
Processing fee, per request, applied to the requesting party	\$	0.50
Request for customer information as outlined in Section 10.6.3 and Chapter 11 of the Retail Settlement Code directly to retailers and customers, if not delivered electronically through the Electronic Business Transaction (EBT) system, applied to the requesting party		
Up to twice a year		no charge
More than twice a year, per request (plus incremental delivery costs)	\$	2.00

LOSS FACTORS

Total Loss Factor – Secondary Metered Customer < 5,000 kW	1.0377
Total Loss Factor – Secondary Metered Customer > 5,000 kW	1.0145
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0273
Total Loss Factor – Primary Metered Customer > 5,000 kW	1.0045