



EB-2011-0249

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 Wellington North Power Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2012.

DECISION AND ORDER

Wellington North Power Inc. (“WNP”) filed an application with the Ontario Energy Board (the “Board”) on April 13, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that WNP charges for electricity distribution, to be effective May 1, 2012. The Board has assigned the application File Number EB-2011-0249.

On May 24, 2012, the Board issued Procedural Order No. 1 wherein it established intervenor status and cost eligibility for Energy Probe Research Foundation (“Energy Probe”) and the Vulnerable Energy Consumers Coalition (“VECC”) and set dates for this proceeding including interrogatories and interrogatory responses. On June 22, 2012 the Board issued Procedural Order No. 2, granting WNP an extension to the date to file its responses to interrogatories. On July 18, 2012, the Board issued Procedural Order No. 3, which set dates for supplemental interrogatories and responses, and a settlement conference. A date of September 7, 2012 was also set for the filing of any proposed settlement agreement arising from the settlement conference.

The settlement conference took place on August 22, 2012. WNP, VECC and Energy Probe (collectively, the “Parties”) participated in the settlement conference. Board staff also participated to ensure that all relevant information was brought forward and considered in the negotiations. The Parties reached a complete settlement on all issues in the proceeding.

On September 7, 2012 WNP filed a proposed Settlement Agreement with the Board. The Settlement Agreement is included as Appendix A to this Decision and Order.

WNP submitted detailed supporting material, including all relevant calculations showing the impact of the implementation of the proposed Settlement Agreement on WNP's revenue requirement, the allocation of the resulting revenue requirement to the classes and the determination of the final rates, including bill impacts and a proposed Tariff of Rates and Charges. On September 13, 2012, WNP submitted a corrected Tariff of Rates and charges which includes the Global Adjustment rate rider applicable to non-RPP customers.

Findings

The Board commends the parties on achieving complete settlement of all matters.

Having reviewed the proposed Settlement Agreement and the detailed supporting material, the Board accepts it in its entirety and further, accepts its cost and rate consequences as reasonable. WNP's new rates are to be effective October 1, 2012.

A Rate Order will be issued after the steps set out below are completed.

THE BOARD ORDERS THAT:

1. Intervenors and Board staff shall file with the Board any comments on the draft Tariff of Rates and Charges set out in Appendix B and forward to WNP within **4 days** of the date of issuance of this Decision and Order.
2. WNP shall file with the Board and forward to intervenors responses to any comments on the draft Tariff of Rates and Charges within **2 days** of the date of receipt of Board staff and intervenor comments.

Cost Awards

The Board may grant cost awards to eligible parties pursuant to its power under section 30 of the Ontario Energy Board Act, 1998. When determining the amount of the cost awards, the Board will apply the principles set out in section 5 of the Board's Practice Direction on Cost Awards. The maximum hourly rates set out in the Board's Cost Awards Tariff will also be applied.

1. Intervenors shall file with the Board and forward to WNP their respective cost claims within **7 days** from the date of issuance of the final Rate Order.
2. WNP shall file with the Board and forward to intervenors any objections to the claimed costs within **21 days** from the date of issuance of the final Rate Order.
3. Intervenors shall file with the Board and forward to WNP any responses to any objections for cost claims within **28 days** of the date of issuance of the final Rate Order.
4. WNP shall pay the Board's costs incidental to this proceeding upon receipt of the Board's invoice.

All filings with the Board must quote the file number EB-2011-0249, and be made through the Board's web portal at www.pes.ontarioenergyboard.ca/eservice/, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must be received by the Board by 4:45 p.m. on the stated date. Parties should use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available, parties may e-mail their documents to the attention of the Board Secretary at BoardSec@ontarioenergyboard.ca. All other filings not filed via the Board's web portal should be filed in accordance with the Board's *Practice Directions on Cost Awards*.

All communications should be directed to the attention of the Board Secretary and be received no later than 4:45 p.m. on the required date.

DATED at Toronto, September 20, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A
TO DECISION AND ORDER
EB-2011-0249
Wellington North Power Inc.
Settlement Agreement
DATED: September 20, 2012

APPENDIX B

TO DECISION AND ORDER

EB-2011-0249

Wellington North Power Inc.

Draft Tariff of Rates and Charges

DATED: September 20, 2012