



EB-2009-0400

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 Enersource
Hydro Mississauga Inc. for an order or orders approving
recovery of amounts related to Conservation and Demand
Management activities.

BEFORE: Paul Sommerville
Presiding Member

DECISION AND ORDER

Enersource Hydro Mississauga Inc. (“Enersource”) filed an application with the Ontario Energy Board, (the “Board”) dated November 17, 2009 under the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B for an order granting approval and recovery of Lost Revenue Adjustment Mechanism (“LRAM”) amounts related to new and ongoing Conservation and Demand Management (“CDM”) activities in 2007 and 2008. The Board assigned File No. EB-2009-0400 to this application.

Enersource is seeking approval and recovery of an LRAM claim in the total amount of \$742,910. This total is the sum of Enersource’s LRAM claim of \$704,377 plus related carrying charges of \$38,533 as calculated to December 31, 2009.

The LRAM claim that Enersource is seeking approval for is related to Third Tranche CDM programs implemented in 2005, 2006 and 2007 (totaling \$371,028), Ontario Power Authority (“OPA”) CDM programs implemented in 2007 and 2008 (totaling \$190,828), and CDM programs funded through incremental funding approved in rates and implemented in 2006 and 2007 (\$142,522). Enersource is seeking recovery of

LRAM amounts related to the entire load reductions, net of free rider quantities. Enersource is seeking recovery of the total LRAM amount, including carrying charges, over an 8-month period commencing May 1, 2010 and ending December 31, 2010.

On December 8, 2009, the Board directed Enersource to publish the Board-approved Notice of Application. In response to the Notice of Application, the Vulnerable Energy Consumers Coalition (“VECC”) requested intervenor status and requested eligibility for an award of costs. Direct Energy Marketing Limited requested intervenor status and noted it would not be seeking an award of costs. The Board approved both intervenor requests and found VECC eligible for an award of costs.

On January 8, 2010, the Board issued Procedural Order No. 1 which outlined the schedule for parties to file interrogatories on Enersource’s application. Only Board Staff filed interrogatories. Staff’s interrogatories focused on the input assumptions used by Enersource in the calculation of its LRAM claim.

On January 22, 2010, Enersource provided its responses to Board Staff’s interrogatories. Enersource, in response to Board Staff’s interrogatory on which input assumptions it relied on in its calculation of its LRAM amount, stated that it relied on the OPA’s Measures and Assumptions list wherever possible and in other instances used either the Board-approved input assumptions or customer-provided engineering calculations.

On February 4, 2010, Board Staff filed its final submission noting that Enersource filed the appropriate supporting evidence for the approval requested and found no issues with Enersource’s claim.

Board Findings

The Board approves the application by Enersource for recovery of LRAM, in the total of \$742,910.

The Board finds that Enersource has filed its application consistent with the Board’s CDM Guidelines and has used the most appropriate input assumptions when calculating its LRAM amount.

Intervenors eligible for an award of costs shall file their cost submissions in accordance with the *Practice Direction on Cost Awards* with the Board Secretary and with Enersource within 15 days of the date of this Decision and Order. Enersource may make submissions regarding the cost claims within 30 days of this Decision and Order and the intervenors may reply within 45 days of this Decision and Order. A decision and order on cost awards and the Board's own costs will be issued in due course.

All filings to the Board must quote the file number, EB-2009-0400, be made through the Board's web portal at www.errr.oeb.gov.on.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and email address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies. All communications should be directed to the attention of the Board Secretary office at BoardSec@oeb.gov.on.ca, and be received no later than 4:45 p.m. on the required date.

THE BOARD ORDERS THAT:

1. Enersource Hydro Mississauga Inc. is granted approval of its LRAM claim in the total amount of \$742,910.
2. The recovery of funds will take place over an eight month period commencing May 1, 2010 and ending December 31, 2010.

DATED at Toronto February 26, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary