



EB-2008-0244

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. 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: Gordon Kaiser
Presiding Member and Vice Chair

Paul Vlahos
Member

Cathy Spoel
Member

RATE ORDER

PowerStream Inc. ("PowerStream" or the "Applicant") is a licensed distributor of electricity providing service to consumers within its licensed service area, the cities of Barrie and Vaughan and the towns of Aurora, Markham and Richmond Hill. On October 10, 2008 PowerStream filed an application under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that PowerStream charges for electricity distribution, to be effective May 1, 2009.

The application did not encompass any aspects of the merger with Barrie Hydro Distribution Inc. ("Barrie Hydro") approved under Board file EB-2008-0335. Distribution rates for Barrie Hydro continue under a separate Board approval.

The Board assigned File Number EB-2008-0244 to the application. The Board issued a Notice of Application and Hearing dated October 24, 2008. On February 3, 2009, PowerStream filed an updated application.

A Settlement Conference was held on May 19, 2009. Settlement was achieved on all but one sub-issue, concerning PowerStream's individual suite metering activities and the revenue requirement impacts of these activities. The Board reviewed the Settlement Proposal and accepted the agreement as filed by the parties. To address the remaining sub-issue, the Board held an oral hearing on June 15, 2009.

The Board's Majority Decision regarding the application was issued on July 27, 2009 accompanied by a Minority Decision. In the Majority Decision, the Board ruled on the remaining issue and ordered that PowerStream file a Draft Rate Order reflecting the Settlement Proposal and the Board's findings.

In the Majority Decision, the Board also directed PowerStream to amend its Conditions of Service and related Terms of Reference Letters or other contracts that apply to suite metering in Multi-Unit Residential Suite Buildings.

PowerStream filed a Draft Rate Order on July 31, 2009. 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 the Smart Sub Metering Working Group (SSMWG) which raised concerns on the wording PowerStream used in its proposed amendments to its Conditions of Service. By letter dated August 12, 2009, PowerStream indicated that it would accept the wording change as suggested by the SSMWG.

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 Majority Decision.

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 but implemented on

September 1, 2009, for electricity consumed or estimated to have been consumed on and after September 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 PowerStream Inc. and is final.
3. PowerStream Inc. shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.
4. PowerStream Inc. shall amend section 2.3.7.3.5 of its Conditions of Service as filed with PowerStream's Draft Rate Order and the related Terms of Reference Letters, amended with its August 12, 2009 filing (attached as Appendix "B").

DATED at Toronto, August 13, 2009
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix "A"

To The Rate Order Arising from Decision and Order
EB-2008-0244

The Tariff of Rates and Charges
PowerStream Inc.

August 13, 2009

PowerStream Inc.
TARIFF OF RATES AND CHARGES
Effective May 1, 2009
Implementation September 1, 2009

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

EB-2008-0244

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).

IMPLEMENTATION DATES

DISTRIBUTION RATES – September 1, 2009 for all consumption or deemed consumption services used on or after that date.
SPECIFIC SERVICE CHARGES – September 1, 2009 for all charges incurred by customers on or after that date.
RETAIL SERVICE CHARGES – September 1, 2009 for all charges incurred by retailers or customers on or after that date.
LOSS FACTOR ADJUSTMENT – September 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

This classification refers to an account taking electricity at 750 volts or less where the electricity is used exclusively in a separately metered living accommodation. Customers shall be residing in single-dwelling units that consist of a detached house or one unit of a semi-detached, duplex, triplex or quadruplex house, with a residential zoning. Separately metered dwellings within a town house complex or apartment building also qualify as residential customers.

Multi-unit residential establishments such as apartment buildings supplied through one service (bulk metered) shall be classified as general service.

General Service Less Than 50 kW

This classification refers to a non residential account taking electricity at 750 volts or less whose monthly average peak demand is less than, or is forecast to be less than, 50 kW.

General Service 50 to 4,999 kW

This classification refers to a non residential account whose monthly average peak demand is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 5,000 kW.

Large Use

This classification refers to an account whose monthly average peak demand is equal to or greater than, or is forecast to be equal to or greater than, 5,000 kW.

Unmetered Scattered Load

This classification refers to an account taking electricity at 750 volts or less whose average monthly peak 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. The customer will provide detailed manufacturer information/ documentation with regard to electrical demand/consumption of the proposed unmetered load.

Sentinel Lighting

This classification refers to an unmetered lighting load supplied to a sentinel light.

Street Lighting

This classification applies to an account for roadway lighting with a Municipality, Regional Municipality, Ministry of Transportation and private roadway lighting operation, controlled by photo cells. The consumption for these customers will be based on the calculated connected load times the required lighting times established in the approved OEB street lighting load shape template.

PowerStream Inc.
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MONTHLY RATES AND CHARGES**Residential**

Service Charge	\$	11.85
Smart Meter Funding Adder	\$	1.04
Smart Meter Rate Rider – effective until April 30, 2010	\$	0.29
Distribution Volumetric Rate	\$/kWh	0.0135
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kWh	0.0002
LRAM/SSM Rate Rider – effective until April 30, 2010	\$/kWh	0.0001
Deferral Account Rate Rider – effective until April 30, 2011	\$/kWh	(0.0023)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0053
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0024
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	\$	28.29
Smart Meter Funding Adder	\$	1.04
Smart Meter Rate Rider – effective until April 30, 2010	\$	0.29
Distribution Volumetric Rate	\$/kWh	0.0116
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kWh	0.0001
LRAM/SSM Rate Rider – effective until April 30, 2010	\$/kWh	0.0001
Deferral Account Rate Rider – effective until April 30, 2011	\$/kWh	(0.0024)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0048
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0022
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	\$	83.41
Smart Meter Funding Adder	\$	1.04
Smart Meter Rate Rider – effective until April 30, 2010	\$	0.29
Distribution Volumetric Rate	\$/kW	3.5078
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kW	0.1238
LRAM/SSM Rate Rider – effective until April 30, 2010	\$/kW	0.0441
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.9971)
Retail Transmission Rate – Network Service Rate	\$/kW	1.9489
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	0.8765
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

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Large Use

Service Charge	\$	2,146.94
Smart Meter Funding Adder	\$	1.04
Smart Meter Rate Rider – effective until April 30, 2010	\$	0.29
Distribution Volumetric Rate	\$/kW	1.0913
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kW	(0.5937)
Deferral Account Rate Rider for existing customers only – effective until April 30, 2011	\$/kW	(1.71)
Retail Transmission Rate – Network Service Rate	\$/kW	2.2864
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.0359
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)	\$	14.14
Distribution Volumetric Rate	\$/kWh	0.0087
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kWh	(0.0017)
Deferral Account Rate Rider – effective until April 30, 2011	\$/kWh	0.0012
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0048
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0024
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Sentinel Lighting

Service Charge (per connection)	\$	1.98
Distribution Volumetric Rate	\$/kW	9.3165
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kW	1.7282
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(2.8005)
Retail Transmission Rate – Network Service Rate	\$/kW	1.4893
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	0.7432
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)	\$	0.83
Distribution Volumetric Rate	\$/kW	4.8386
Foregone Distribution Revenue Rate Rider – effective until April 30, 2010	\$/kW	0.7195
Deferral Account Rate Rider – effective until April 30, 2011	\$/kW	(0.8317)
Retail Transmission Rate – Network Service Rate	\$/kW	1.4744
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	0.6815
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0013
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

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Specific Service Charges

Customer Administration		
Arrears certificate	\$	15.00
Statement of Account	\$	15.00
Duplicate Invoices for previous billing	\$	15.00
Request for Other Billing Information	\$	15.00
Easement Letter	\$	15.00
Income Tax Letter	\$	15.00
Account History	\$	15.00
Returned Cheque (plus bank charges)	\$	15.00
Legal Letter Charge	\$	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
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 at meter – during regular hours	\$	65.00
Disconnect/Reconnect at meter – after regular hours	\$	185.00
Specific Charge for Access to the Power Poles \$/pole/year	\$	22.35
Temporary Service install and remove – overhead – no transformer	\$	500.00
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	1.0299
Total Loss Factor – Secondary Metered Customer > 5,000 kW	1.0145
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0197
Total Loss Factor – Primary Metered Customer > 5,000 kW	1.0045

Appendix “B”

To The Rate Order Arising from Decision and Order
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Condition of Service (excerpts)
PowerStream Inc.

August 13, 2009

Condition of Service (excerpts)

2.3.7.3.5 Multi-Unit Residential Suite Buildings

Under Ontario Regulation 442/07, all new multiunit condominium buildings must be either individually metered by the licensed distributor or smart sub-metered by an alternative licensed service provider. For existing condominiums the installation of individual smart meters or smart sub-meters is at the discretion of the condominium's board of directors.

Where individual units of an existing or new multiunit condominium building are individually metered by PowerStream, each unit will become a residential customer of PowerStream and each unit and the common areas must have a separate account with PowerStream.

Where an existing or new multiunit condominium building is sub-metered by an alternative licensed service provider, the condominium continues to be the customer of PowerStream and will receive a single bill based on the measurement of the bulk (master) meter. The condominium corporation, which is responsible for the distribution of electricity on the consumer side of the bulk (master) meter, is an exempt distributor under section 4.0.1 of Ontario Regulation 161/99—*Definitions and Exemptions* (made under the Act). The smart sub-metering provider will then issue a bill to each unit and the common areas based on the consumption of the unit or common area.

Where all units within a multiunit building are individually metered, the building owner shall provide a secure meter room or suitable enclosure within the building for the installation of a sub metering system.

This room or enclosure will have adequate lighting, a 120 volt outlet and a dedicated analog telephone line for meter interrogation purposes.

The building owner may opt for individual self-contained meters attached to individual bases, to a load centre as defined in the PowerStream Standards or a Sub-metered system.

TERMS OF REFERENCE LETTER

Suite Meter Installation and Service Provider

XYZ DEVELOPMENT INC. (the Developer) engages PowerStream Inc. (PowerStream) for the purpose of the installation and administration of separate electricity meters for individual condominium units in **XYZ DEVELOPMENT INC.**

PowerStream will provide the following to the Developer in accordance with the following and, if any, the attached terms and conditions with respect to the Equipment:

- The installation of smart suite meters (referred to as the Equipment);
- Data acquisition; data storage; data management; data transfer to PowerStream for billing purposes; operations, maintenance, troubleshooting and repair work to maintain the metering system; and all account management activities, including scheduled meter readings, billing, revenue collection and service disconnect/reconnect as required;
- Meters will meet the same Measurement Canada requirements for accuracy and durability as all other customer meters installed throughout the PowerStream service territory;
- PowerStream fully warrants the quality of our products and services as your local distribution electric utility; and
- Individual unit condominium owners will receive a bill for their electricity service directly from PowerStream.

The Ontario Energy Board licenses PowerStream to provide distribution services and regulates PowerStream's rates and practices through a public hearing process.

The Equipment installation will comply with PowerStream's Conditions of Service section 2.3.7, and end-use customer tariffs and charges will comply with PowerStream's Conditions of Service section 2.4, see attached.

Either Party may terminate this Terms of Reference upon 90 days written notice to the other Party. Upon termination the Developer shall allow PowerStream to remove the Equipment.

The Parties agree to the content of this document by their authorized signatures below.

XYZ DEVELOPMENT INC.

PowerStream Inc.

Signature: _____
Print Name: _____
Title: _____
Date: _____

Signature: _____
Print Name: _____
Title: _____
Date: _____

TERMS OF REFERENCE LETTER

Suite Meter Installation and Service Provider

ABC CONDOMINIUM CORPORATION (the Condo Corp.) engages PowerStream Inc. (PowerStream) for the purpose of the installation and administration of separate electricity meters for individual condominium units in **XYZ Condominium**.

PowerStream will provide the following to the Condo Corp. in accordance with the following and, if any, the attached terms and conditions with respect to the Equipment:

- The installation of smart suite meters (referred to as the Equipment);
- Data acquisition; data storage; data management; data transfer to PowerStream for billing purposes; operations, maintenance, troubleshooting and repair work to maintain the metering system; and all account management activities, including scheduled meter readings, billing, revenue collection and service disconnect/reconnect as required;
- Meters will meet the same Measurement Canada requirements for accuracy and durability as all other customer meters installed throughout the PowerStream service territory;
- PowerStream fully warrants the quality of our products and services as your local distribution electric utility; and
- Individual unit condominium owners will receive a bill for their electricity service directly from PowerStream.

The Ontario Energy Board licenses PowerStream to provide distribution services and regulates PowerStream's rates and practices through a public hearing process.

The Equipment installation will comply with PowerStream's Conditions of Service section 2.3.7, and end-use customer tariffs and charges will comply with PowerStream's Conditions of Service section 2.4, see attached.

Either Party may terminate this Terms of Reference upon 90 days written notice to the other Party. Upon termination the Condo Corp shall allow PowerStream to remove the Equipment.

The Parties agree to the content of this document by their authorized signatures below.

ABC CONDOMINIUM CORPORATION

PowerStream Inc.

Signature: _____
Print Name: _____
Title: _____
Date: _____

Signature: _____
Print Name: _____
Title: _____
Date: _____