



EB-2011-0274

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 Rideau St.
Lawrence Distribution Inc. for an order approving just and
reasonable rates and other charges for electricity distribution
to be effective May 1, 2012.

Before: Ken Quesnelle
Presiding Member

Marika Hare
Member

DECISION AND ORDER

August 9, 2012

Rideau St. Lawrence Distribution Inc. (“RSL”) filed an application with the Ontario Energy Board (the “Board”), received on Feb 7, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that RSL charges for electricity distribution, to be effective May 1, 2012. The Board has assigned the application File Number EB-2011-0274.

The Board issued a Notice of Application and Hearing on February 29, 2012. The Board issued Procedural Order No. 1 on March 27, 2012, which among other things, set dates for interrogatories, declared RSL’s current rates interim as of May 1, 2012 and granted intervenor status to the School Energy Coalition (“SEC”) and the Vulnerable Energy Consumers Coalition (“VECC”) in this proceeding. The Board also determined that SEC and VECC were eligible to apply for an award of costs under the Board’s *Practice and Direction on Cost Awards*.

On May 30, 2012, the Board issued Procedural Order No. 2 providing for an additional round of written interrogatories. Additionally, the Board ordered a Settlement Conference to be convened on July 11, 2012 and to be continued if necessary on July 12, 2012. The Board ordered that any Settlement Agreement arising from the Settlement Conference be filed on or before July 27, 2012.

On July 26, 2012, RSL filed a proposed Settlement Agreement with the Board. RSL, SEC and VECC are the parties (collectively, the "Parties") to the proposed Settlement Agreement. The Settlement Agreement is included as Appendix A to this Decision and Order and represents a comprehensive Settlement Agreement with no unsettled matters.

Findings

The Board commends the Parties on achieving settlement of all matters.

Having reviewed the proposed Settlement Agreement, the Board accepts it in its entirety and further, accepts its cost and rate consequences as reasonable.

The Board wishes to remind the Parties that, as settlements are the result of negotiations on many and complex issues, the particular results and terms of a given settled issue should not be viewed as a precedent.

Implementation

Pursuant to the Board's approval of the Settlement Agreement, the new rates are effective July 1, 2012. The new rates shall be implemented September 1, 2012.

The results of the Settlement Agreement are to be reflected in RSL's Draft Rate Order, which will include a draft Tariff of Rates and Charges and any supporting documentation that has not already been filed as part of the Settlement Agreement. RSL shall also file the rate riders, with supporting calculations in an Excel format, that would allow it to recover the portion of the revenue deficiency between July 1, 2012 and the Board-approved implementation date of September 1, 2012.

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

THE BOARD ORDERS THAT:

1. RSL shall file with the Board, and shall also forward to the intervenors, a Draft Rate Order attaching a proposed Tariff of Rates and Charges and supporting documentation reflecting the Board's findings in this Decision and Order within **7 days** of the date of this Decision and Order.
2. Intervenors and Board staff shall file any comments on the Draft Rate Order with the Board and forward to RSL within **7 days** of the date that RSL files the Draft Rate Order.
3. RSL shall file with the Board and forward to intervenors responses to any comments on its Draft Rate Order within **4 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 RLS their respective cost claims within **7 days** from the date of issuance of the final Rate Order.
2. RSL shall file with the Board and forward to intervenors any objections to the claimed costs within **14 days** from the date of issuance of the final Rate Order.
3. Intervenors shall file with the Board and forward to RSL any responses to any objections for cost claims within **21 days** of the date of issuance of the final Rate Order.
4. RSL 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-2011-0274, and be made through the Board's web portal at <https://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, August 9, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary