



EB-2009-0011

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 Westario Power
Inc. seeking a decision and order to make changes to its
Conservation and Demand Management plan;

AND IN THE MATTER OF an application by Westario Power
Inc. under section 21(4)(b) of the *Ontario Energy Board
Act, 1998*, seeking to dispose of the proceeding without a
hearing.

BEFORE: Gordon Kaiser
Presiding Member and Vice Chair

Cathy Spoel
Member

DECISION AND ORDER

Westario Power Inc. (“Westario Power” or the “Applicant”) filed an application with the Ontario Energy board (the “Board”), dated January 7, 2009 for a decision and order seeking approval for a timeline extension to complete third tranche spending of its approved Conservation and Demand Management (“CDM”) plan. Westario Power has also requested, pursuant to subsection 21(4)(b) of the *Ontario Energy Board Act, 1998* (the “Act”) that the Board dispose of the proceeding without a hearing. The Board assigned file number EB-2009-0011 to this application.

On February 8, 2005, Westario Power was granted approval of its CDM plan (RP-2004-0203/EB-2004-0502). The total approved budget for Westario Power’s CDM plan is \$656,500.

On October 1, 2007, Westario Power, as a member of the Cornerstone Hydro Electric Concepts Association Inc., was granted approval of an extension to April 30, 2008 of the completion date for incremental third tranche CDM expenditures.

Upon revisiting its third tranche CDM budget, Westario Power noted a remaining balance of \$17,200. Westario Power has now requested a further extension to complete spending of the remaining approved third tranche funds. Westario Power has indicated the balance of the remaining funds will be used to assist a large industrial customer who is seeking assistance with an energy audit which may lead to other possible energy saving devices.

Westario Power has requested an extension to complete spending of approved third tranche CDM funds to July 31, 2009.

Westario Power has requested that the Board dispose of this matter without a hearing pursuant to section 21(4)(b) of the Act. Section 21(4)(b) of the Act states that the Board may dispose of a proceeding without a hearing if the Board determines that *"no person, other than the applicant, appellant or licence holder will be adversely affected in a material way by the outcome of the proceeding and the applicant, appellant or licence holder has consented to disposing of a proceeding without a hearing."*

The Board approves the timeline extension and allocation of the remaining funds proposed by Westario Power. The Board notes that this will be the final extension provided to the Applicant and expects Westario Power to complete its third tranche spending within the extended period.

THE BOARD ORDERS THAT:

Westario Power Inc. is granted approval of a final extension to July 31, 2009 in order to completely exhaust the remaining balance of \$17,200 in previously approved third tranche CDM funds.

DATED at Toronto, January 28, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary