

IN THE MATTER OF the *Ontario Energy Board Act*, 1998, being Schedule B to the *Energy Competition Act*, 1998, S.O. 1998, c.15;

AND IN THE MATTER OF an Application by Brantford Power Inc. to the Ontario Energy Board for an Order or Orders approving or fixing just and reasonable rates and other service charges for the distribution of electricity as of May 1, 2008;

AND IN THE MATTER OF a Motion being brought by Brant County Power Inc. to review and vary the implementation of the Board's Interim Order Dated April 21, 2008 in this proceeding;

AND IN THE MATTER OF a Motion being brought by Brant County Power Inc. to review and vary the implementation of the Board's Decision dated July 18th, 2008 and the Board's Order dated August 29th, 2008 in this proceeding.

**MOTION RECORD OF THE APPLICANT (MOVING PARTY)
BRANT COUNTY POWER INC.**

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TAB 1

IN THE MATTER OF the *Ontario Energy Board Act*, 1998, being Schedule B to the *Energy Competition Act*, 1998, S.O. 1998, c.15;

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NOTICE OF MOTION OF THE APPLICANT (MOVING PARTY)

BRANT COUNTY POWER INC.

Pursuant to the Ontario Energy Board's rules of Practice and Procedure (the "Rules"), Brant County Power Inc. ("BCP") will make a motion to the Board for the matter described herein on a date to be determined by the Board at the Board's office located at 2300 Yonge Street, Toronto Ontario. BCP does not have a preference for either a written or oral procedure.

THIS MOTION IS FOR:

1. An order or orders of the Board varying the Interim Order of the Board dated April 21st, 2008 (the "Interim Order"), the Decision of the Board dated July 18, 2008 (the

"Decision") and the Order of the Board dated August 29, 2008 (the "Order") including the following:

- (a) An order(s) pursuant to Rule 42.02 of the Board's Rules of Practice and Procedure, granting leave to BCP to bring the Motion described herein;
- (b) An order(s) pursuant to Rule 7.01 and 7.02 extending the time to bring forth this Motion;
- (c) An order that the charges levied before May 1, 2008 of no force or effect as such charges were retroactive as they relate to services prior to the Interim Order, the Decision, and the Order;
- (d) A order declaring the charges levied beginning May 1, 2008 and prior to September 1, 2008 of no force or effect as the Interim Order dated April 21st, 2008 did not extend the 2007 rates to include Brant County Power;
- (e) an order(s) pursuant to Rule 42.04 and 44.01(b) granting a stay of the Board's Decision in respect of applying the General Service Greater than 50kW customer rates to Brant County Power until the final disposition of this Motion;
- (f) Or, in the alternative to subparagraph (e), an order(s) declaring the General Service Greater than 50kW rates being charged by Brantford Power Inc. interim until a final determination on this Motion is rendered by this Board;
- (g) An order(s) pursuant to Rule 42.01 and Rule 44.01 to review the Decision in respect of the proper rates to be charged by Brantford Power Inc. to Brant County Power;
- (h) An order(s) providing for the proper consideration of this review Motion setting forth appropriate timelines and notice requirements;
- (i) An order(s) requiring Brantford Power Inc. and Brant County to bring forth, either jointly or separately, an appropriate rate proposal for Brant County Power;
- (j) An order(s) granting the relief requested; and

- (k) Such other relief as the Board deems appropriate.

BASIS FOR THE MOTION:

The basis for the Motion is the following:

2. BCP is essentially relying upon two of the enumerated grounds [44.01(a)(i) and (iii)] and to a lesser extent, a third ground, subparagraph (iv) within Rule 44 upon which to bring this motion. Rule 44 provides:

44.01 Every notice of a motion made under Rule 42.01, in addition to the requirements under Rule 8.02, shall:

(a) set out the grounds for the motion that raise a question regarding the correctness of the order or decision, which grounds may include:

- (i) error in fact;
- (ii) change in circumstances;
- (iii) new facts have arisen;
- (iv) facts that were not previously placed into evidence in the proceeding and could not have been discovered by the reasonable diligence at the time.

3. Further, BCP is bringing this Motion on the grounds that Brantford Power Inc. did not provide effective notice of the contents of the Application as warranted by the specific circumstances. BCP reasonably believed that a relatively small but reasonable “wheeling charge” would be incorporated into the Brantford Application. Brantford knew that BCP anticipated a wheeling charge and not a “distribution service” charge. Brantford never informed BCP prior to the filing of the Application or until it started to render invoices in May of 2008. Brantford did not inform the Board of BCP’s reasonable expectations at any time. Had such information been provided, the Board may have required Brantford to provide a subsequent notice to ensure that BCP was fully aware of Brantford’s change in rate treatment.

4. The Notice of Application did not disclose any indication of a change in treatment of BCP from the current practice.
5. New facts have arisen as the Application of the rates set out in the Interim Order and the Decision lead to charges against BCP of approximately \$487,256/year where Brantford had estimated of costs (which went unchallenged) of only \$300,000/year an over contribution of 62% by the now largest distribution customer in Brantford's service area.
6. Brantford retroactively imposed charges pursuant to the Interim Order for service in April 2008. The Interim Order did not include a rate classification appropriate for BCP nor had the Board considered and determined that BCP was a proper party to be included in such rates and so such charges are of no force or effect;
7. The evidence in the Application is erroneous, insufficient and inconsistent which leads to the potential for Brantford to significantly over-recover from BCP and other General Service Greater than 50kW Customers as:
 - (i) The forecasted load in the Brantford rate application for the General Service Greater than 50kW class seems exceedingly low in the circumstances;
 - (ii) Brantford is not providing many of the services (IESO settlement, collection and remittance of the Debt Retirement Charge and meter reading) to BCP that it would provide to the other General Service Greater than 50kW rate class;

- (iii) The Interim Order and the Decision do not include a specific loss factor for customers with a demand of >5000kW despite the fact that BCP, and at least one other customer have such a demand;
 - (iv) A short form cost allocation study could have been done or a “wheeling charge” would provide a more appropriate rate. Eight years is an unacceptable amount of time to complete a cost allocation study.
- 8. BCP requests the stay of the Decision and the requirement to make any further payment to Brantford until the Board renders a final decision as the Decision has the impact of creating approximately \$487,256 in additional costs without the corresponding source of revenue and so it has a significant and detrimental impact on the cash flow position of BCP.
- 9. Upon becoming aware of the proposed rate in May of 2008, Brant County started discussions with Brantford regarding a resolution of the issue. Despite several attempts to resolve the issue without the intervention of the Board, BCP was unsuccessful in reaching an agreement with Brantford.
- 10. BCP filed a complaint with the Ontario Energy Board’s Chief Compliance Officer who indicated the issue was a rate issue and not a compliance issue. A copy of the correspondence with the Chief Compliance Officer is included in the materials at Tab 7.
- 11. BCP had further discussions with Board Staff who indicated that BCP should make submissions in the Brantford 2009 rate proceeding and bring a motion to rehear and vary the rates set by the 2008 rate proceeding. BCP made submissions as provided by the Board order on February 2, 2009.

12. The grounds for this motion are further particularized in the Submission of BCP at Tab 3.

MATERIALS TO BE RELIED UPON:

13. BCP will rely upon the following materials:

- (a) The evidentiary record to date of this proceeding;
- (b) The invoices issued by Brantford to BCP for charges for service commencing in April 2008;
- (c) The affidavit of Grant Brooker dated February 24, 2009;
- (d) The *Ontario Energy Board Rules of Practice and Procedure*;
- (e) The Board's decisions in other such similar matters; and
- (f) Such other materials as counsel may be advised and this Board will permit.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

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TO:

THE ONTARIO ENERGY BOARD

AND TO:

BRANTFORD POWER INC.

AND TO:

SCHOOLS ENERGY COALITION

4827414.3

TAB 2

IN THE MATTER OF the *Ontario Energy Board Act*, 1998, being Schedule B to the *Energy Competition Act*, 1998, S.O. 1998, c.15;

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SUBMISSIONS OF THE MOVING PARTY BRANT COUNTY POWER INC.

OVERVIEW:

1. Brant County Power Inc. ("BCP") is requesting the Board review and vary its order and decision, dated April 21st, 2008 at Tab 3 (the "Interim Order") and July 18th, 2008 at Tab 4, (the "Decision") and the order dated August 29th, 2008 at Tab 5 (the "Order") in respect of the appropriate rates to be charged by Brantford Power Inc. ("Brantford") to BCP. BCP requests that the Board clarify that the Interim Order did not grant authority to Brantford to retroactively charge BCP for Network and Connection charges incurred in April 2008 nor did it extend Brantford's authority to commence invoicing BCP during the period in which interim rates were in effect. As such all invoices prior to September 1st,

2008 are without authority and BCP had no obligation to pay such invoices.¹ Further, BCP requests a review and variance of the rates charged by Brantford to BCP commencing September 1, 2008 as such rates are not just and reasonable in the circumstances as the purported justification of the costs allocated to BCP included accounts where Brantford did not anticipate having any such costs during the year.

2. Much of the concern arises from the failure of Brantford to ensure that BCP had effective notice of the Application, and its consequences, thereby tainting the quality of the evidence upon which the Board relied in rendering the Decision. Had BCP been provided effective notice in January 2008, it would have intervened in the proceeding and fully explored the evidence and issues raised herein. Such intervention, may have led to a significantly different result.
3. BCP recognizes that Brantford should receive compensation for the services provided, however, BCP submits that a proper allocation of costs would result in a significantly lower rate than is currently approved and that the current rates are therefore not just and reasonable.
4. The Decision resulted in Brantford levying charges on BCP estimated to be in the amount of \$487,256² per year not the approximate \$300,000³ indicated in response to

¹ As such, invoices that have been paid, totalling \$54,201.57, plus any interest should be credited against any monies found to be owing by BCP.

² This is an estimated amount based upon invoices received to date and projection over the remaining months.

³ BCP has concerns about the appropriateness of this number which are discussed later at subparagraph 48(i).

Board Staff I.R. #10.3.⁴ This provides a revenue to cost ratio of 1.62 to 1.00. Given the proposed four year cycle, the impact on BCP, and eventually its ratepayers, will be approximately \$1.95 million as opposed to the projected \$1.2million. To put this impact of such a rate into perspective, BCP went from paying \$0 to being Brantford's largest distribution customer and BCP's payment represent more than 10% of the General Service Greater than 50kW revenue requirement, without a single physical change in service and absolutely no evidence as to the appropriateness of the allocation of such costs even though Brantford had four years to develop a proper cost allocation study.

5. Brantford has indicated that prior to May 1, 2008 BCP was not invoiced by Brantford for distribution service. This completely ignores the fact that during May Brantford invoiced BCP \$7,546.09 for Transmission Network and Connection charges for April despite no change in legal authority to render such accounts.
6. Brantford, in its submissions in EB-2008-0162, felt compelled to deal with the brief submissions in respect of the current IRM proceeding and to make comments in respect of the 2008 and the 2006 rate case. Needless to say BCP disagrees with most, if not all, of Brantford's submissions, and will only comment on the materials relevant to the 2008 rate application.

⁴ It should be noted that the Response to Board Staff IR 10.3 used the prior unit rates which were significantly higher than the present rates that have still resulted in a premium of \$187,256 even accepting the cost information of Brantford which BCP submits are inflated and unreasonable.

RELIEF SOUGHT:

7. An order or orders of the Board varying the Interim Order of the Board dated April 21st, 2008, the Decision of the Board dated July 18th, 2008 (the "Decision") and the Order of the Board dated August 29th, 2008 (the "Order") including the following:
- (a) An order(s) pursuant to Rule 42.02 of the Board's Rules of Practice and Procedure, granting leave to BCP to bring the Motion described herein;
 - (b) An order(s) pursuant to Rule 7.01 and 7.02 extending the time to bring forth this Motion;
 - (c) An order that the charges levied before May 1, 2008 of no force or effect as such charges were retroactive as they relate to services prior to the Interim Order, the Decision, and the Order;
 - (d) A order declaring the charges levied beginning May 1, 2008 and prior to September 1, 2008 of no force or effect as the Interim Order did not extend the 2007 rates to include Brant County Power;
 - (e) an order(s) pursuant to Rule 42.04 and 44.01(b) granting a stay of the Board's Decision in respect of applying the General Service Greater than 50kW customer rates to Brant County Power until the final disposition of this Motion;
 - (f) Or, in the alternative to subparagraph (e), an order(s) declaring the General Service Greater than 50kW rates being charged by Brantford Power Inc. interim until a final determination on this Motion is rendered by this Board;
 - (g) An order(s) pursuant to Rule 42.01 and Rule 44.01 to review the Decision in respect of the proper rates to be charged by Brantford Power Inc. to Brant County Power;
 - (h) an order(s) providing for the proper consideration of this review Motion setting forth appropriate timelines and notice requirements;

- (i) an order(s) requiring Brantford Power Inc. and Brant County to bring forth, either jointly or separately, an appropriate rate proposal for Brant County Power;
- (j) an order(s) granting the relief requested; and
- (k) such other relief as the Board deems appropriate.

BACKGROUND:

8. BCP is a licensed distributor, ED-2002-0522, providing distribution service to approximately 9,500 customers, in municipality of Brant County. The BCP service area completely surrounds the service area of Brantford. Part of the BCP distribution system is embedded within the Brantford distribution system, however, BCP is not an "Embedded Distributor" as that term is defined in the Distribution System Code and Brantford's license. This distinction is completely ignored by Brantford. BCP is a wholesale market participant with the Independent Electricity System Operator ("IESO") and purchases all of its electricity from the IESO. Certain electricity that is supplied to BCP is "wheeled" by Brantford. As such, BCP does not receive the same level of distribution service from Brantford that other distribution customers receive and therefore warrants different rate treatment.
9. Contrary to the evidence contained in Brantford's application Exhibit 1, Tab 1, Schedule 12, Page 1, there are not one but 2 transformer stations and three feeders and meters that are important to understanding the context of this hearing and the reasonable interpretation of the evidence: (a) Brantford TS (Colborne St. E.) and (b) Brantford TS (Colborne St. W); and, (c) Powerline TS. The existing physical arrangements have been in place since 2005.

- (a) Brantford TS – The Brantford TS has two above ground feeders that extend along Colborne St. – one easterly and the second westerly. The Brantford TS is supplied by Hydro One and the Colborne St. E. feeder operates at 27.6kV while the Colborne St. W. feeder also operates at 27.6kV. Each of these feeders supplies a number of other General Service customers other than BCP.
 - (b) Powerline TS - The Powerline TS is jointly owned by Brantford (5/8) and BCP (3/8) as provided in the evidence and connects each distributor to the Hydro One system. One of the Brantford feeders supplies a number of Brantford customers and provides a single feed into the BCP system. Contrary to the evidence and submissions of Brantford, BCP had been invoiced by Brantford for April 2008 at a cost of \$7,546.09.
10. Commencing in May 2008 Brantford began to charge BCP for distribution services based upon the Board's Interim Order which merely extended the 2007 Rates. A copy of the invoices for the relevant time period may be found at Exhibit B to the Affidavit of Grant Brooker (Tab 7). Since September 1st, 2008 Brantford has issued invoices based upon the Decision. BCP, to date, has only made a partial payment, pending a final resolution of this matter. As the invoices contain no line items, BCP has requested additional backup for each invoice for which Brantford has failed to produce sufficient details.
11. Upon final resolution of this Motion, BCP will make the required payments, if any, as directed by the Board.

12. Table 1 provides a summary of the invoices that have been received to date. Copies of the invoices may be found at Exhibit B to the Affidavit of Grant Brooker (Tab 7). The projected annual revenue for Brantford is \$487,256.

Table 1 – Invoice Summary

Month	Brantford TS (Colborne E)	Brantford TS (Colborne W)	Powerline TS
April 2008	-	-	\$ 7,546.09
May	\$30,705.97	\$9,9532.70	\$11,381.87
June	\$28,368.24	\$12,127.58	\$13,642.58
July	\$13,958.36	\$7,589.26	\$12,042.10
August	\$23,815.00	\$10,495.59	\$12,584.03
Subtotal	96,847.57	39,745.13	\$57,196.59
September	\$16,592.54	\$6,782.87	\$ 9,837.51
October	\$17,720.44	\$5,863.40	\$ 9,952.62
November	\$16,387.30	\$6,729.55	\$11,549.41
December	\$17,059.53	\$6,801.12	\$13,318.26
Current Total	\$164,607.38	\$65,922.07	\$101,854.48
Forecast Annual	\$246,911.07	\$98,883.11	\$141,462.66⁵

LACK OF APPROPRIATE NOTICE IN THE CIRCUMSTANCES

13. It is a well established principle of natural justice that a party must be given notice of a decision that will have an impact upon the person's rights and obligations. To the extent that effective notice was not provided, a decision cannot stand. In order to assess whether proper notice was given, the issue should be considered from the perspective of the party that is to receive notice.
14. Current management at BCP reviewed the files and communications with Brantford over the past year and found no record of having received the Notice of Application. In fact

⁵ For the purpose of determining the annualized cost, the pre-May 1, 2008 cost was removed.

BCP had several conversations with Brantford during the course of 2008 and 2009 and Brantford never mentioned having served the Notice of Application. BCP reviewed the electronic filings for the Brantford rate application and no Affidavit of Service was included. In January of 2009 representatives of BCP contacted the Board Staff to inquire about reviewing the file and the Affidavit of Service. The first inquiry resulted in Board Staff indicating that no Affidavit of Service was in the file. It was at this time BCP had to make the submissions regarding EB-2008-0162 and, at that time, BCP had no indication from its records, communication with Brantford or Board Staff that the Notice of Application had been provided. In preparation of this Motion, BCP representatives made further inquiries of Board Staff who now indicated that the Affidavit of Service had been misfiled. It was subsequently posted in the electronic file accessible to the public on the Board's website.

15. Brantford filed a copy of the Affidavit of Service, sworn January 22, 2008, indicating that it served BCP with a copy of the Notice of Application via regular mail on January 14, 2008. This type of service provides no verification that it was actually received. BCP has reviewed its files and was not able to find any record of having received such Notice of Application. In addition, as noted above, during several episodes of communication Brantford did not refer to the service of the Notice of Application on BCP. Brantford's effort to make sure that BCP received effective notice of the Application and the intended implementation were wholly inadequate.
16. In the present situation, a review of the actions of BCP, and the reasonableness of such actions, must be viewed in the context of the information that was available to BCP at

that time. Further, BCP submits it is not proper to look at the appropriateness of the actions with the benefit of hindsight.

17. Prior to submitting its pre-filed evidence in this proceeding, Brantford had discussions with BCP about proposing a "wheeling" rate. As is clear from the email correspondence in the summer of 2008, it is clear that Brantford understood that a wheeling rate had been discussed in 2007 and was what Brantford intended and what BCP expected. Heather Wyatt indicated the following: "I had advised Grant (Brooker of BCP) back in the summer that BPI would be applying for an embedded distribution charge in its 2008 rate application. Subsequently, we decided that rather than a separate charge, we would apply the GS>50kW rate to Brant County as the two rates are almost identical. This is also common across the industry." This quotation provides a number of important facts. First, everyone new that a rate other than a distribution rate was what had been contemplated. Second, Brantford made the decision to change unilaterally and there is no indication of providing BCP with notice of such change until after the implementation of the Interim Order. Brantford had a basis for the cost allocation statement but Brantford indicated to the Board that it was not willing to do cost allocation because of the delays to the filing of the rate application. Such statements are inconsistent. Fourth, while it is true that other distributors have used such an approach, it is misleading in that it is not the preferred approach and generally, other distributors would have intermediate and large use customer classifications which Brantford does not have. Brantford also indicates that Board Staff has concerns but dismisses those concerns.
18. An email from G. Mychailenko dated July 2, 2008 confirms the change in approach: *"The wheeling charge is now been equated as the distribution charge and as we have*

indicated, we are starting to invoice for the charges as of May 1, 2008 per our rates process.” Further, Brantford was fully aware that Brantford’s approach to rates was of interest to BCP and BCP’s decision regarding filing its 2008 rate application.

19. As noted above, at some point prior to the submission of the Brantford Application on December 20, 2007, several months after the summer discussions, Brantford unilaterally changed its position and did not include a new rate class in its Application. Brantford never expressly informed BCP of this change, nor did the Application adequately disclose that Brantford would bill BCP as a General Service Greater than 50kW customer and the impact that such a proposal would have. That information only came to light in the middle of May 2008 in response to a Board Staff interrogatory and after Brantford started to charge BCP.
20. Therefore, even had BCP reviewed the Notice of Application, it would not have been apparent that there was going to be any change in the way Brantford was going to charge BCP. The Notice of Application makes only a single reference, at page 554 of 701, regarding its the change in practice and Brantford took no steps to inform BCP that BCP was about to become Brantford’s largest distribution customer with a cost impact of \$500,000 annually despite BCP’s request that Brantford inform it of the rate impact so BCP could plan for its own future rate proceeding. Brantford neglected to do anything but keep silent as any contribution by BCP, let alone half a million dollars, would reduce the contribution of its other ratepayers and make the rate process less contentious.
21. Had BCP received the Notice of Application and reviewed the Rate Application, it still would not have been clear that circumstances were changing and in fact, the evidence would portray a status quo situation.

- (a) The Rate Application provides a false sense of security that it contains no significant changes or impacts (Exhibit , Tab , Schedule):

- (i) Brantford stated, *"The Applicant submits the proposed distribution rates contained in this Application are just and reasonable on the following grounds: (i) the proposed for the distribution of electricity have been prepared in accordance with the Filing Requirements and reflect traditional rate making and cost of service principles;"...*

A principle of rate making is cost causality. Brantford did no cost allocation and maintained a significant over-contribution by the General Service Greater than 50kW rate class, 139%, even beyond the Board's guideline. Further, it appears that Brantford's forecast understated its anticipated loads given the information available to it in respect of BCP's consumption.

- (ii) Brantford went on to state: *"(iii) there are no impacts to any of the customer classes or consumption level subgroups that are so significant as to warrant the deferral of any adjustments being requested by the Applicant or the implementation of any other rate mitigation measures."* (Exhibit , Tab, Schedule, Page). This clearly provides comfort that there is no significant change.

- (b) Ex. 9, Tab. 1, Schedule 6, Page 1 – General Service Greater than 50kW

"absent sufficient cost allocation information to support the establishment of a large user class, the General Service Greater than 50kW rates would be applied to its current customer with a demand greater than 5,000kW."

BCP was not a current customer according to Brantford's evidence and so BCP could not have interpreted this to mean that Brantford was going to charge distribution rates based on the General Service Greater than 50kW rate class. The further implication is that Brantford is not going to deviate from current practice as it has no sound rate-making basis upon which to make any such change.

- (c) ***Powerline TS Omitted*** - Brantford only indicated that it was a Host Utility at the Brantford TS not Powerline, Exhibit 1, Tab 1, Schedule 12, Page 1. Therefore, there is no clear indication that Brantford intended to charge BCP at this location. In fact, the Application speaks to the novel relationship that Brantford and BCP struck without a hint that Brantford would in the future receive additional revenue.
- (d) ***Under Forecast Load*** - The load forecast included in the Brantford Application provides no clear indication that BCP is to be added as a customer in the General Service Greater than 50kW classification or the impact of such inclusion. Brantford provided a load forecast that showed a modest decrease, 1%, in throughput for the General Service Greater than 50kW rate class as a result of the general economic slowdown. Table 2 summarizing the evidence of Brantford from Exhibit 3, Tab 2, Schedule 2, Page 5 is provided below.

Table 2 Summary of Brantford Evidence

	2006 Actual	2007 Estimated	Bridge Year Forecast Normalized	Test Year Normalized Forecast
	2006	2007	2007	2008
# of customers	407	408	408	413
kWh	590,877,017	595,176,890	593,273,557	588,310,448
kW	1,447,706	1,461,947	1,477,561	1,635,606

Table 3 Forecast Growth with Individual Customer Information

	Test Year – Bridge Year	BCP⁶	Other Large User⁷	Remaining >50kW Customers
# of customers	5	1	1	3
kWh	(5,036,891)	74,729,289	>0	>0
kW	158,045	163,560	60,000 ⁸	>1800

22. Brantford forecasted a reduction of approximately 5 million kWh or about minus 0.8% of the Bridge Year Forecast Normalized and 2006 Actual figures. However, if one assumes BCP consumes the average of 2004, 2005, 2006 or approximately 73,500,000kWh, which would mean that the remaining 408 General Service Greater than 50kW customers are only consuming 513,581,159kWh or a reduction of almost 14% not taking into account the other 1 large (Greater than 5,000kW) customer or the remaining 3 other General Service Greater than 50kW customers. Therefore, either Brantford under forecasted throughput by a significant margin or there is no reasonable expectation that BCP was included in the forecast for this customer classification.

⁶ Average of numbers provided in response to Board Staff IR 10.1(b) dated May 15, 2008.

⁷ Minimum values to be consider a member of the class.

⁸ This is a minimum for inclusion in the large customer >5000kW classification.

23. A similar under forecast occurs in a review of the kW evidence. If it is assumed the Application incorporated BCP and one additional customer with a demand greater than 5,000kW, these two new customers alone (leaving aside the other 3 forecasted customers in this classification with a minimum demand of 1,800kW) were going to drive an increase in kW of over 223,500kWs and yet the proposed forecast increase is only 158,045 or about 70% of increase that would have arisen from BCP and the existing large industrial customer. For the Brantford forecast increase to be correct, existing customers were going to have a forecast decrease of 65,515kW or approximately 4.4% decrease. However, Brantford explicitly stated that it anticipated a reduction of approximately 1%, consistent with the experience over the past number of years. That an accurate forecast of BCP was included just does not seem reasonable in which case all General Service Greater than 50 kW customers are overpaying.
24. A further issue regarding the accuracy of the forecast is raised by the response to Board Staff Interrogatory 8.7. As noted, Brantford took ownership of the transformer stations in 2005. Yet, the actual demand and consumption during 2005 and in subsequent years did not rise by a significant amount despite the change in which BCP was being provided service. Therefore, either Brantford never included the volumes in the forecast, or it has unexplainable decreases in excess of 10% of its demand.
25. Had BCP received and reviewed the Brantford Rate Application, it would have no reason to assume that it was going to be charged for distribution services Brantford currently applies to general service customers. Even Brantford, in response to Board Staff IR

10.3 only identified approximately \$300,000 in costs⁹ and that was utilizing the larger proposed rates, not the smaller Board approved rates. But for a single reference, at page 554 of the 701 page application, there is nothing to indicate that BCP is to be treated as a General Service Greater than 50kW customer – let alone, responsible for almost a half a million dollars in costs.

26. In summary, the Board's Decision resulted from a presentation of the evidence by Brantford and the additional information provided through the interrogatory process. As the Rate Application, Notice of Application and correspondence with Brantford disclosed no change in circumstances -- BCP would have had no obvious reason to intervene. Had BCP intervened, the issues above (and below) would have been raised, the evidence would have been different and it is entirely probable that the Decision would have been different.

The Interim Order – No Authority to Begin Charging BCP

27. As Brantford was several months (December as opposed to August) late in filing its Rate Application, the Board was required to make an Interim Order (the "Interim Order") on April 30th, 2008 to ensure that Brantford had legal authority to charge rates effective May 1, 2008. In the Interim Order the Board stated the following:

"The review of Brantford's application is not yet concluded. Pending the issuance of final rates for 2008, the Board declares the current rates interim effective May 1, 2008.

In declaring Brantford's rates interim, the Board emphasizes that this interim rates order should not be construed as predictive, in

⁹ For a more detailed comment on the appropriateness of such costs go to sub-paragraph 48(i) where BCP provides sufficient concerns about the underlying costs.

any way whatsoever, of the final determination with regards to the effective date."

28. The Interim Order is clear, the status quo is continued. There is no authority to extend the ambit of Brantford's rates. As of April 30th, 2007, the then effective rates had been approved by the Board in the decision and order in proceeding EB-2007-0510 dated April 30, 2007 (the "2007 Order" at Tab 13) for rates effective May 1, 2007. The 2007 Order has no Embedded Distributor rate class and provides no authority for invoicing customers with a demand greater than 5,000kW. The 2007 Order includes the following rate classification:

"General Service 50kW to 4,999kW
This classification applies to a non-residential account whose average monthly demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 50kW but less than 5,000kW."¹⁰

29. Brantford had no authority to bill BCP prior to May 1, 2008. There was no rate classification applicable to BCP. There is no evidence on any record that the Interim Order provided any authority for Brantford to charge BCP nor is there any indication that BCP would be now begin to be charged under such order.
30. On May 15, 2008, more than two weeks after the Interim Order was made, Brantford indicated clearly, for the first time, on the public record that it intended to charge BCP in its answer to Board Staff Interrogatory 10(b). However, even at that time it was not clear the forecasted amount of the charges as Brantford indicated approximately \$300,000 in costs but subsequent charges approach \$500,000 annually. Nor did Brantford disclose that it invoiced for charges related to April 2008.

¹⁰ 2007 Order, identified as page 1 of 3. For convenience a copy of the 2007 Order is included at Tab 13.

31. The Board's Interim Order is clear, the status quo will continue until a final decision is rendered. Prior to May 1, 2008 Brantford had not charged BCP as a customer. Brantford took no steps to inform BCP or the Board of this change in interpretation. There is no rate that is applicable to BCP. No physical change to the system occurred. The Board is not really fully aware of Brantford's Application, nor has it ruled on the Application. Yet, Brantford took the Interim Order of the Board which expressly provided for a continuation of the status quo and implemented a change in billing practice despite not having provided such information to the Board or BCP of any intent to do so.
32. The Interim Order provided no authority for Brantford to charge BCP for any distribution services and so all such charges issued by Brantford should be of no force or effect.
33. During the period from May 1, 2008 until August 31, 2008, the period during which the Interim Order was in effect, Brantford invoiced BCP for \$193,789.29. During this time, not only were the invoices without authority, the billing practice changed from month to month and Brantford's application of its own rates was incorrect. For example, the first set of invoices did not provide BCP with any transformer allowance despite the fact that BCP provides its own transformers. Such issues complicated matters and made it extremely difficult to determine how Brantford intended to charge BCP going forward.
34. The *Ontario Energy Board Act, 1998*, subsection 78(2) requires that a distributor only charge for the distribution of electricity in accordance with an order of the Board.

"78.(2) No distributor shall charge for the distribution of electricity or for meeting its obligations under section 29 of the *Electricity Act, 1998* except in accordance with an order of the Board, which is not bound by the terms of any contract."

35. The statutory obligation is clear, the Interim Order is clear. Nothing changes, except Brantford starts to issue invoices for over \$270,000. Brantford is off-side in its application of the Interim Order and therefore BCP should not be obligated to pay for any such charges.

NOT AN EMBEDDED DISTRIBUTOR

36. BCP wants to be abundantly clear. BCP should pay Brantford's just and reasonable costs in providing the wheeling service to BCP. However, BCP submits the current rates are not just and reasonable.
37. Brantford has supported its argument for no separate rate for BCP on the fact that BCP is an Embedded Distributor and even the Board's process for reviewing the treatment of Embedded Distributors shows no significant difference between such customers and other customers of a similar size. Specifically, Brantford quoted the following passage as:

*"Embedded Distributors
Staff proposes that embedded distributors be treated as customers of similar size. Both distributors and customer groups suggested in consultation that there is essentially no difference in demand drivers. It is not clear that the difference in customer-related costs (e.g. customer service, collection and bad debts) is sufficiently different from other large customers for a separate rate class."*

38. There are two fundamental flaws with Brantford's position: (a) BCP is not an Embedded Distributor and (b) Brantford only has 1 other large customer of a similar size and it would not take the necessary steps to establish a rate (or even an appropriate loss factor) for that customer.

39. Embedded Distributor is a defined term:
- (a) “embedded distributor” means a distributor who is not a market participant and to whom the host distributor distributes electricity; (Appendix A, Brantford Licence in the Application at Exhibit 1, Tab 1, Schedule 3, Appendix A, Page 13);
 - (b) “embedded distributor” means a distributor who is not a market participant and that is provided electricity by a host distributor; (Distribution System Code, page 6).
40. BCP is a market participant and has been a market participant since market opening and is invoiced by the IESO for each of three transformer stations. The definitions are clear that the “embedded distributor” is not a market participant and that is why the service offerings are substantially similar to other commercial customers. In such situations the host distributor must manage the cash flow obligations of purchasing the power, take on the risk of non-payment and provide customer metering (not wholesale metering) which are very similar to commercial/industrial customers who are not market participants. However, where the distributor is a market participant, there is no purchase of power, no risk of non-payment, no provision of prudentials to the IESO, no provision of customer quality metering, reduced billing and reduced losses. These are substantial differences in the service provided which Brantford completely ignores.
41. It should be noted that where distributors have created a separate rate for electricity distributors, the definition is “This classification applies to an electricity distributor

licensed by the Board which provided electricity by means of this distributor's facilities.”¹¹

This definition accurately deals with the issue of wholesale market participation.

42. The second flaw in Brantford's position is that “embedded distributors” are to be treated similarly to other “large customers”. The general understanding of large customers is Greater than 5,000kW in demand not a General Service Greater than 50kW classification. Further, Brantford has only 1 other large customer with a load greater than >5,000kW so the other 400+ General Service Customers are not like BCP. Finally, Brantford even failed to provide an appropriate loss factor for the >5,000kW customers.
43. A final note is that Brantford has indicated that it did not want to develop a large customer rate because of timing issues. Brantford's position is BCP is like the other large user because of the demand and because the other customer was new, it did not want to develop a new rate category. Yet, Brantford has indicated that it has been providing service to BCP since 2005, plenty of time to consider the cost allocation and appropriate rate issues. It appears that a customer must wait for 8 years before Brantford will make an application for a new rate, even where that customer is the largest distribution customer served. Brantford's rationalization to support maintaining the status quo is unconvincing.
44. BCP would also like to highlight Board Staff's submission that while certain distributors charge embedded distributors pursuant to general service charges, it is preferable to have an appropriate rate order. Board Staff did not endorse the Brantford proposal but recognized that such situations existed elsewhere. As effective notice was not provided (see above), BCP, the party most significantly impacted, was not participating in the

¹¹ EB-2007-0883, Kitchener Wilmot Hydro Inc. at Tab 8.

proceeding and could not make the counter argument or advocate for a new proper rate. Further, based upon the response to Board Staff Interrogatory, and the current costs identified herein, it is presumed that Board Staff was unaware, or unable, to determine the cost implication for BCP. Board Staff and the School Energy Coalition had concerns regarding the Brantford forecast. Had the Brantford forecast been more accurate, Board Staff may have changed their changed their position.

WHEELING CHARGES – OTHER BOARD DECISIONS

45. BCP wants to be clear. It is not suggesting that Brantford should not recover its reasonable cost but that the process has not resulted in just and reasonable rates. As support for this, BCP would like to draw the Board's attention to other situations where wheeling or "Embedded Distributor" rates have been approved. It is BCP's position that such decisions and the rationale would better approximate a "just and reasonable" rate.
46. As noted, other electricity distributors have provided for Embedded Distributor rates and wheeling rates. It should be noted that in these situations the definition of Embedded Distributor is: "This classification applies to an electricity distributor licensed by the Board which provided electricity by means of this distributor's facilities."¹² This definition is not the definition of Embedded Distributor in the Distribution System Code and is accurate as to the role of the embedded distributor.
47. Cambridge and North Dumfries Hydro¹³, Kitchener-Wilmot Hydro Inc. and Erie Thames¹⁴, to name a few, have proposed wheeling or embedded distributor rates for

¹² EB-2007-0883, Kitchener Wilmot Hydro Inc., Tab 8.

¹³ EB-2007-0900, at Tab 9.

¹⁴ EB-2007-0928, at Tab 10.

licensed distributors. In such cases the charges for the distributor appear to be fraction of the charges to the General Service Large User classification, which each of the utilities has unlike Brantford.

INCONSISTENCIES AND ISSUES WITH THE RATE APPLICATION

48. BCP has reviewed the evidence of Brantford, the Interim Order, the Decision and final rate order and has found a number of inconsistencies and issues with the Application which BCP would have raised if Brantford had provided effective notice to BCP such that it would have participated in the hearing:

- (a) ***Cost of Power*** – The cost of power associated with the purchase of 73,500,000kWh at \$0.059 (original Application) or \$0.0545/kWh (Decision) is approximately \$4.336million. This would result in an overstatement of the Working Capital by attributable to purchasing power for BCP in the amount of approximately \$650,475.00 which results in a cost of capital of approximately \$45,000 going directly into rates for expenditure never made by Brantford. Brantford does not purchase electricity for BCP and therefore, Brantford should ensure all electricity that was wheeled for BCP should have been removed from the calculation of Working Capital.
- (b) ***No Appropriate Loss Factor*** - As noted earlier in the Motion, BCP consumes in excess of >5,000kW. Brantford identified another customer that also consumed in excess of 5,000kW. Brantford's application provided no evidence of a proposed loss factor for such customers. The loss factor for the >5,000kW customers should have been included and should have been smaller than the

loss factors provided. As such, BCP gets to over earn as the applied loss factor is too high.

- (c) ***Under Forecast of Demand and Consumption*** - The Brantford Application included a forecast for the General Service Greater than 50kW customer class that is inconsistent with the other evidence in its Application and thereby permits Brantford to over earn. This issue was discussed in detail earlier and will not be repeated here.
- (d) ***Under Forecast Revenue Attributable to BCP*** – In response to Board Staff IR, Brantford indicated that it anticipated revenue of approximately \$300,000 from BCP based upon the applied for unit rates. Table 4, below, summarizes the relevant rates. Despite significant reductions in the unit rates from those contained in the original Application, and no significant increase in BCP consumption, BCP is expecting to be charges to be more than \$487,000 or more than 62% % greater than the costs Brantford identified as allocated to BCP.

Table 4 – Rate Summary

Item	2008 Application	Interim Order (May 1 – Aug. 31)	Approved (Sept. 1, 2008)
Meter Charge	\$340.84	\$318.91	\$303.21
Distribution Volumetric Charge	\$2.9797	\$2.4818	\$2.6861
Transmission (Network)	\$1.7819	\$2.1137	\$1.7828
Transmission (Connection)	\$1.5448	\$1.7879	\$1.5443
Regulatory Asset	(\$0.815)	\$0.7912	N/A
Deferral/Variance Rider	N/A	N/A	(\$0.2928)

- (e) ***Mismatch of Rate Order and Application*** - The rate classification in the Rate Order does not provide a rate description for customers with a demand in excess of 5,000kW or account for the exception that BCP and one other customer have loads in excess of 5,000kW.
- (f) ***Distribution Demand Charge*** – The application states that it will be used to bill distributor demand charges only. This statement is unclear. Brantford has imposed Transmission Network and Connection charges and charges for Regulatory Assets.
- (g) ***Points where Brantford is Host*** - The Brantford Application referred to only one point where BCP was embedded within the Brantford System. This does not clearly indicate that Brantford had any intention of charging BCP in respect of the Powerline TS.
- (h) ***Regulatory Asset Charge*** - BCP was charged for Regulatory Assets for the period May 1, 2008 to August 31, 2008 which is inappropriate in the circumstances. Normally, BCP agrees that a new customer would be responsible for all line items contained in such rate class, even where such costs were incurred prior to becoming a customer. However, the present circumstances are different. BCP is a licensed distributor whose customers are responsible for the regulatory assets of BCP and to layer on such charges for Brantford, when there is no corresponding benefit, is not appropriate.
- (i) ***Lack of Proper Allocation of Expenses*** – BCP submits that certain of the costs attributed to it by Brantford in response to IR 10.3(a) are inappropriate in the

circumstance. BCP provides a brief summary of certain items in the table below. Costs were allocated to BCP but nothing was included in the forecast, or BCP seems to have been allocated an unconscionably disproportionate amount of the costs because it is only one of more than 35,000 Brantford customers. For instance for accounts 5670, 6205 and 5710, Brantford has not included any expenses in its OM&A, but it has allocated more than \$7,000 to BCP. Brantford allocated more than 2% of the Employee Pension and Benefits cost even though the salary expenses are allocated toward BCP at less than 0.9 percent. Also, Brantford has allocated both Above and Underground Charges to BCP yet, the facilities used to serve BCP are entirely Above Ground. As BCP did not receive effective notice of the hearing and did not participate, BCP did not have the opportunity to request further information in respect of Brantford's evidence and so it is impossible for BCP to provide a detailed comprehensive list of the problems at this time. **These numbers just do not reconcile with each other or logic.**

Account	2008 Test ¹⁵ OM&A	IR. 10.3(a)	Comment
5105 – Maint. Super. & Eng.	\$306,914	\$9,075	2.9% of total
5114–Maint. Dist. Stan. Equip.	\$17,703	\$1,042	5.9% of total
5120 – Maint. Poles & Fixtures	\$167,336	\$7,225	4.3% of total
5405 – Supervision	\$0	\$494	
5410 – Community Relations – Sundry	\$125,171	\$1,145	0.9% of total
5420 – Community Safety Program	\$13,920	\$362	2.6% of total
5605 – Exec. Salaries & Exp.	\$429,070	\$4,060	0.9% of total
5610 – Management Sal. & Exp.	\$723,218	\$3,226	0.4% of total
5615 – G&A Salaries & Exp.	\$726,087	\$9,181	1.3% of total

¹⁵ Taken from the Application Dated December 20, 2007 at Exhibit 4, Tab 2, Schedule 1, Page 1 of 4.

Account	2008 Test ¹⁵ OM&A	IR. 10.3(a)	Comment
5620 – Office Supplies & Exp.	\$52,654	\$3,928	7.5% of total
5670 – Rent	\$0	\$4,676	
5665 – Misc. General Exp.	\$187,617	\$12,972	6.9% of total
5660 – General Advertising	\$26,000	\$353	1.3% of total
5620 – Office Supplies & Expenses	\$52,654	\$3,928	7.5% of total
6205 – Donations	Not Found ¹⁶	\$81	
5410 – Community Relations	\$125,171	\$1,145	1% of total
5085 – Misc. Distribution Exp.	\$129,239	\$3,464	2.7% of total
6105 – Taxes other than Income Tax	\$12, 298	\$3,782	30.8% of total
5705 – Amort. Exp. Property, Plant & Equip	\$3,027,657	\$55,005	1.8% of total
5710 – Amort. Limited Time Electric Plant	\$0	\$2,395	
5645 – Employee Pensions & Benefits	\$110,367	\$2,174	2% of total

PROCEDURAL ISSUES

49. Bringing this Motion, at this time, necessitates certain procedural matters be dealt with, namely:
- (a) BCP status to bring the motion;
 - (b) The extension of the time period;
 - (c) Standard of Review; and
 - (d) Basis of the Motion under Rule 44;
50. BCP exercise of the Board's discretion is to be consistent with the purposes of the Ontario Energy Board Act, 1998 and Rule 2.01 as follows:

¹⁶ No amount was provided.

2.01 These Rules shall be liberally construed in the public interest to secure the most just, expeditious, and efficient determination on the merits of every proceeding before the Board.

51. BCP submits that it has raised a number of serious issues which require the review of the Board.

BCP Leave to Bring Motion

52. Rule 42.02 requires that the Board grant leave to the party to bring such a motion. BCP submits that it is a proper party and that leave should be granted for the following reasons:

- (a) BCP is directly impacted by the Decision through the imposition of a \$500,000/per year cost on a rate regulated utility without the benefit of a proper cost allocation study for the next four years seems inconsistent with justice. BCP had a right to intervene in the proceeding when the Application was filed.
- (b) BCP will not benefit from this Decision as it will necessarily include such costs in its upcoming cost of service hearing in order that it may recover these costs from its ratepayers. BCP is seeking to protect its ratepayers from unreasonable charges.

53. The viewpoint of the BCP was not represented at the hearing.
54. BCP submits that it is an appropriate party to the proceeding and should be granted leave as BCP has been directly impacted by the Board's Decision.
55. Had BCP applied for intervener status in accordance with the Notice of Application, dated January 9, 2008, it would have been granted status by the Board as it would have

demonstrated that BCP met the requirements of Rule 23. However, as BCP is not aware of having received the Notice of Application and, in any event, Brantford did not highlight the change in methodology for establishing the rate to be charged for the wheeling service.

APPROPRIATE TO EXTEND THE TIME TO BRING SUCH MOTION

56. BCP submits the Board should exercise the discretion provided in Rules 7.01 and 7.02 to extend the time for bringing this motion.
57. The Rules provide the Board with discretion to extend the timelines. The Rules do not provide guidance in the exercise of such discretion and BCP submits the Board should consider the following factors:
 - (a) BCP, and its ratepayers, have been prejudiced by the failure to receive proper notice as its current Board approved rates do not incorporate such significant costs and such charges will result in an increase in future rates and have an immediate and adverse impact on BCP's cashflow.
 - (b) Brantford was fully aware of BCP's expectations regarding the setting of a Wheeling rate and chose to abrogate its responsibility to fully inform BCP of its change in plans;
 - (c) Brantford will not be prejudiced by the hearing as it will be able to recover its revenue over time;

- (d) BCP tried to remedy the issue through discussions on several occasions with Brantford and the Chief Compliance Officer¹⁷ who informed BCP that this was an issue for a rate hearing.

QUANTUM OF IMPACT ON BCP

58. BCP has projected that it will be invoiced \$487,256 over the period May 1, 2008 until April 30, 2009. It is BCP's intention to track the Board approved costs from Brantford and to dispose of any balance in that account through an upcoming rate proceeding.
59. BCP notes that any such costs will be incorporated into its rates and, further, that such costs will increase the Working Capital Requirements of BCP. BCP estimates that based upon the \$487,256 increase in costs, Working Capital will be increased by \$73,088 with a bottom line customer impact of a further \$5,869 for a total impact of \$493,124.

Basis for the Motion – Rule 42

60. Rule 42.01¹⁸ permits a party to bring motion requesting a review and variance of a Board's decision. BCP is relying upon two of the enumerated grounds [44.01(a)(i) and (iii)] within Rule 44 upon which to bring this motion. Rule 44 provides:

44.01 Every notice of a motion made under Rule 42.01, in addition to the requirements under Rule 8.02, shall:

¹⁷ Correspondence with the Chief Compliance Officer is found at Tab 6.

¹⁸ *Ontario Energy Board Rules of Practice and Procedure*, Rule 42.01 – "Subject to Rule 42.02, **any person may bring a motion** requesting the Board to review all or part of a final order or decision, and to vary, suspend or cancel the order or decision."

(a) set out the grounds for the motion that raise a question regarding the correctness of the order or decision, which grounds may include:

- (i) error in fact;
- (ii) change in circumstances;
- (iii) new facts have arisen;
- (iv) facts that were not previously placed into evidence in the proceeding and could not have been discovered by the reasonable diligence at the time.

61. Furthermore, it should be noted that Rule 44 provides illustrative examples only and not an exhaustive list upon which an applicant may bring such a motion. Certainly, where the issue relates to the establishment of just and reasonable rates, the most fundamental of the Board's statutory obligations, the Board will take an expansive view of the grounds of the motion to ensure that the ultimate result is "just and reasonable" rates which is further supported by Rule 2.01.

62. The submissions contained in this Motion fall under 44.01(a)(i), (iii) and (iv).

The Standard of Review

63. The Board's Rules provide that the threshold for such a review is grounds "*that raise a question regarding the correctness of the order or decision*". Therefore, the appropriate standard of review to be applied in the consideration of such a motion is correctness. This is the most stringent standard of review required by law. The reviewer must insert themselves into the original tribunal's place and determine whether it would have reached the identical result as the original tribunal. It is insufficient for the reviewer to state that the original decision was reasonable or that it was not unreasonable – it **must** be correct.

64. In order to satisfy the threshold question the moving party does not have to establish beyond a doubt the decision was not correct; it must merely adduce evidence that will “*raise a question*” as to the correctness of the decision. The Board can’t simply perform a cursory review unless there is absolutely no doubt regarding the correctness of the original decision. Therefore, in the present circumstances, if the grounds alleged in the motion give rise to the smallest potential that the reviewing tribunal would not have reached the same decision, the reviewing tribunal must consider the merits of the motion and dispose of the motion as if it were hearing the matter for the first time.
65. BCP submits that it has raised legitimate doubts as to the correctness of:
- (a) Retroactively applying the Interim Order to the consumption of electricity to BCP in April 2008;
 - (b) Applying charges for May 1, 2008 through August 31, 2008 based upon an Interim Order extending rates that had never purported, and did not in fact extend to BCP; and
 - (c) Applying charges commencing September 1, 2008 based on a rate that is not just and reasonable and unconscionably over-recovers from BCP:
 - (i) The charges are not based upon proper cost allocation;
 - (ii) Do not include a proper loss factor; and
 - (iii) Improperly under forecast throughput and demand.

CONCLUSION:

66. BCP is aware that it is bring this Motion beyond the timeframe contemplated in the Board's Rules. However, due to the impact of such a significant charge, it had no such alternative but to bring such a Motion. Since understanding the gravity of the rates that Brantford is charging, BCP attempted to work out a resolution with Brantford, approached the Compliance Office at the Ontario Energy Board and made submission during Brantford current rate proceeding. It has not been idly sitting back but has been diligently trying to find an acceptable solution.
67. BCP has proposed a course of action that would not harm Brantford or its other ratepayers and would develop more appropriate, cost based rates for BCP and its other customers. BCP submits that its proposal will result in just and reasonable rates.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

BRANT COUNTY POWER INC.



By its Counsel
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TO:

THE ONTARIO ENERGY BOARD

AND TO:

BRANTFORD POWER INC.

AND TO:

SCHOOLS ENERGY COALITION

TAB 3



EB-2007-0698

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 Brantford
Power Inc. for an order or orders approving or fixing just and
reasonable distribution rates and other charges, effective
May 1, 2008.

BEFORE: Paul Vlahos
Presiding Member

Bill Rupert
Member

INTERIM RATES ORDER

On December 20, 2007, Brantford Power Inc. ("Brantford") filed an application with the Ontario Energy Board (the "Board") for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2008.

The review of Brantford's application is not yet concluded. Pending the issuance of final rates for 2008, the Board declares the current rates interim effective May 1, 2008.

In declaring Brantford's rates interim, the Board emphasizes that this interim rates order should not be construed as predictive, in any way whatsoever, of the final determination with regards to the effective date.

THE BOARD ORDERS THAT:

The approved rates of Brantford Power Inc., effective on April 30, 2008, are declared interim as of May 1, 2008 and until such time as a final rate order is issued by the Board.

DATED at Toronto, April 21, 2008

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

TAB 4



EB-2007-0698

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 Brantford Power Inc
for an order approving or fixing just and reasonable rates and
other charges for the distribution of electricity for the 2008 rate
year.

BEFORE: Paul Vlahos
Presiding Member

Bill Rupert
Member

DECISION

Brantford Power Inc. ("Brantford" or "the Company") is a distributor of electricity that operates within the City of Brantford. The Company is 100% owned by Brantford Energy Corporation, which in turn is 100% owed by the City of Brantford. The Company contracts services from the City of Brantford.

Brantford is one of over 80 electricity distributors in Ontario that are regulated by the Board. In 2006, the Board announced the establishment of a multi-year electricity distribution rate-setting plan for the years 2007-2010. In an effort to assist distributors in preparing their applications, the Board issued the *Filing Requirements for Transmission*

and Distribution Applications on November 14, 2006. Chapter 2 of that document outlines the filing requirements for cost of service rate applications, based on a forward test year, by electricity distributors.

On May 4, 2007, as part of the plan, the Board indicated that Brantford would be one of the electricity distributors to have its rates rebased in 2008. Accordingly, the Company filed a cost of service application based on 2008 as the forward test year. In accordance with the Board's plan, Brantford was to file its application and evidence by August 15, 2007 to provide sufficient time so that its new rates can be implemented May 1, 2008. Brantford's application was received by the Board on December 20, 2007.

The Board assigned the application file number EB-2007-0698 and issued a Notice of Application and Hearing dated January 9, 2008. The Board approved the intervention of the School Energy Coalition ("SEC"). SEC was active in submitting interrogatories and argument. Board staff also posed interrogatories and made submissions. Brantford's reply argument was received on June 17, 2008.

The full record is available at the Board's offices. The Board has chosen to summarize the record to the extent necessary to provide context to its findings.

RATE BASE

For a distributor, rate base consists of net fixed assets (gross fixed assets minus accumulated depreciation and any contributed capital) plus an allowance for cash working capital. Net fixed assets are determined as the average of the beginning and the end year values, and reflect capital additions for the test year. The Board's guidelines stipulate a level of cash working capital equal to 15% of the sum of OM&A controllable expenses and the cost of power. The cost of power consists of the commodity cost of power and transmission charges.

The Board deals below with the following matters: expenditures on smart meters; expenditures on conventional meters; expenditures on other projects; and, working capital.

Expenditures on Smart Meters

The Company currently has a smart meter adder of \$0.28 per month per metered customer included in the monthly service charge and proposed to continue this adder at the same level.

In response to Board staff interrogatory #5.2a, the Company stated that it does not intend to install any smart meters in 2008, but that it is planning to do so in 2009. Costs associated with smart metering activities are being recorded in Variance Account 1555.

Board Findings

Unlike some other distributors (for example, Lakefront and PUC Distribution), Brantford is not forecasting installation of any smart meters during the 2008 test year. For this reason, the Board finds that the Company's proposal to continue the existing \$0.28 per month per metered customer is appropriate and is therefore approved.

It is unclear from the record whether the Company has included any expenditures associated with smart meters in rate base or in its revenue requirement in general. If it has, the Company is directed to remove these in preparing its Draft Rate Order. Until a further order by the Board, expenditures associated with smart meters shall be recorded in Variance Account 1555, which shall be cleared at a later time.

Expenditures on Conventional Meters

The table below shows the capital expenditures associated with installing new conventional meters for new customers or replacing expiring conventional meters.

Meter-related Capital Expenditures

	Number of Meters	Capital Expenditures
Residential and General Service < 50 kW meter seal expirations	2,026	\$157,872
Meters for new customer connections, non-demand type meters and other-meter-related equipment	1,104	\$289,589
Total	3,130	\$447,461

Source: Brantford's Reply Submission, page 24, June 17, 2008

Board staff calculated that over half of the proposed installations are for new customer connections and the other half because of seal expiries. Board staff expressed concern that meters with seal-expiring dates are being replaced with conventional meters, which will in turn will be replaced soon by smart meters and will therefore be stranded. SEC shared Board Staff's concerns.

The Company submitted that it has an obligation to maintain compliance with the legal requirements of Measurement Canada.

Board Findings

As the Board has stated in other decisions¹, an expired meter does not necessarily require replacement of the meter; rather, the meter will be subject to further testing. The Board notes Brantford's statement that it would consider making an application to Measurement Canada for Temporary Permission to maintain in place the meters whose seals have expired pending the determination of smart meter implementation in its service area. The Board considers this to be not only a prudent approach but a necessary step for the Company to take.

Rather than including the \$157,872 in capital expenditures in replacing the 2,026 expired meters with conventional meters as the Company proposed in the event that the Company does not receive Measurement Canada approval, the Board directs the Company to exclude these expenditures for the purposes of setting 2008 rates. For additional clarity, operating costs related to meter seal verification are legitimate costs and should continue to be included in 2008 rates.

The remaining \$289,589 in capital expenditures for metering is accepted by the Board for setting 2008 rates.

Other Capital Expenditures

Using Exhibit 2/Tab 3/Schedule 1, pages 12, 22, and 32, the Company's response to Board staff interrogatory #3.3a, and the Company's reply submission, paragraphs 65 and 75, the table below shows the capital expenditures for 2008, with prior years since 2006, excluding expenditures for replacing expired meters in 2008.

	2006	2007 Bridge	2008 Test
Capital Expenditures excluding Smart meters and Metering	\$5,297,935	\$5,429,489	\$4,863,642
Capital Expenditures excluding smart meters and Replacement of Expired-Seal Meters	N/A (not available)	N/A	\$5,153,231

Board staff noted that the Company has provided a capital budget extending to 2013 but the Company acknowledged that it does not have an Asset Management Plan.

In its reply submission, the Company noted that while it currently does not have a formal asset management plan, it undertakes asset condition reviews as a normal business

¹ See, for example, the Board's Decision on Lakefront Utilities Inc.'s 2008 distribution rate application considered in file EB-2007-0761, pages 12-15.

practice. The Company also noted that it intends to develop a formal asset management plan for future capital spending.

Board Findings

The Board finds that the Company has reasonably substantiated its proposed capital expenditures in areas other than those commented earlier by the Board and such expenditures are therefore approved for ratemaking purposes. For additional clarity, the Board approves 2008 capital expenditures of \$5,153,231 for setting 2008 rates.

Working Capital

Elsewhere in this Decision, the Board makes adjustments to the proposed controllable OM&A expenses. Therefore, the cash working capital will need to be recalculated to reflect these adjustments.

In Chapter 2 of the Board's filing requirements for distributors, the Board suggests that, when filing, the cost of power will be that available from the most recent Board-approved Regulated Price Plan ("RPP"). In the Board's view, there are benefits and no cost for the electricity distribution sector and for the Board to have one common cost of commodity power forecast. As long as the Board is required to produce a cost of power forecast in its responsibility to set RPP prices, and to the extent that the Board's forecast covers a period which can subsume in whole or in large part the test period for setting distribution rates, it makes good sense to utilize that forecast. Applying individual efforts by each distributor can lead to inconsistencies among distributors, can be expensive and is unnecessary. The Navigant forecast used by the Board to set RPP prices for May 1, 2008 onward covers most of the Company's test year filing. The Board prefers that the use of Navigant's forecast prices should be used in this case and it so finds. The Board directs the Company to reflect in its re-calculation of cash working capital an all-in supply cost of \$0.0545/kWh derived from the Board's Price Report issued April 11, 2008.

OPERATING COSTS

Operating costs include OM&A expenses, depreciation and amortization expenses, payments in lieu of taxes (PILs), and any transformer allowance payments to customers. PILs taxes are proxies for capital and income taxes that, otherwise, would have to be paid if the distributor was not owned by a municipality or the Ontario government.

The final PILs tax allowance for ratemaking purposes is determined after the Board makes its findings on other relevant parts of the Company's application.

Operating costs also include interest charges on the Company's debt. These are dealt with in the cost of capital section of the Decision.

The Board deals below with the following issues: Controllable OM&A expenses; and, PILs.

Controllable OM&A Expenses

The table below shows the components of the proposed controllable OM&A expenses for 2008 and compares them with previous years.

Controllable OM&A Expenses (\$)

	2006 Board-Approved	2006 Actual	2007 Bridge Year	2008 Test Year
Operations	580,929	793,192	1,176,926	1,090,412
Maintenance	2,006,136	1,521,089	1,870,016	1,884,681
Billing and Collecting	905,817	1,900,231	2,145,847	2,302,509
Community Relations	446,549	326,422	190,140	139,091
Administrative and General Expenses	3,437,561	1,984,087	2,634,367	2,783,384
Total Controllable Expenses	7,376,992	6,525,021	8,017,296	8,200,077

The issues raised by Board staff and SEC were related to the areas of: Compensation; Purchase of Services; Shared Services; and, Regulatory Costs. These concerns and the Company's responses are summarized below.

By way of general comment, SEC noted that in comparing 2006 Board-approved OM&A to 2006 actual, consideration should be given for the fact that the Company changed its overhead capitalization policy resulting in lower OM&A costs and increasing capital expenditures.

Compensation

The Company's evidence showed a proposed increase of about \$700,000 or 14% in total aggregated compensation costs from 2006 actual to 2008 proposed. Board staff invited the Company to clarify certain inconsistencies in the information presented. Also,

Board staff noted that there is a significant differential in the Board-approved and actual level in 2006 and invited the Company to comment on that difference and whether it is the driver for the 2008 level. SEC stated that it shared Board staff's concerns regarding inconsistencies in the Company's evidence.

SEC expressed concern that the Company is essentially treating increases in salary incurred by the service provider, the City of Brantford, as if they were increases in its own internal compensation costs. It is not clear, according to SEC, from the Services Agreement how these costs are passed on.

In its reply submission, the Company noted that the Total Aggregated Compensation Costs table was not updated to reflect final costs and that Board staff's calculations are correct.

The Company explained other differences as a result of the estimation process and the attempt to directly respond to the interrogatories.

The Company explained the difference in the 2006 Board-approved and actual amounts being the result of:

- Annual economic adjustments for 2005 and 2006;
- Outcomes of the salary re-evaluation for management and non-union staff which were implemented as at January 1, 2006; and
- Increases in staff complement.

Purchase of Services

The Company purchased \$2.5 million in services in 2006 and projected purchases of \$3.3 million in 2008 (approximately 40% of total controllable expenses), a 34% increase in the two-year period. Of these, the costs associated with the City's direct services are projected at \$2.898 million in 2008, an increase of \$778,000 or 37% since 2006. The City's direct services are for operations and maintenance, electricity engineering, metering and settlement, administration and regulatory affairs.

Board staff expressed concern that there is not enough evidence or clarity in the evidence to support the significant increases proposed by the Company.

SEC noted the Company's response to SEC's interrogatory #17a to the effect that the Company has budgeted an additional \$132,000 "for repairs and maintenance to the distribution system deferred from previous years as a result of cost containment activities" and submitted that ratepayers in 2008 should not have to pay for work that should have been done in the past.

SEC noted that the Service Agreement with the City stipulates that, in addition to the direct and indirect costs, a further 10% of such costs shall be paid to the City. SEC noted that the Company characterized this mark up as an approximation for "market conditions" in the actual Service Agreement and submitted that this mark up is contrary to the Board's Affiliate Relationships Code. SEC also submitted that, in future, if the Company seeks to recover costs that are largely based on costs allocated from its affiliate, the Company should include detailed costs from its affiliate to support these costs as prescribed in the Board's Affiliate Relationships Code.

With respect to the \$132,000 expense mentioned above, the Company submitted in its reply argument that it is appropriate to include this expense in 2008 when the work is performed.

With respect to the 10% mark-up, the Company argued that such remuneration represents the fair market value for the services it receives from its affiliate pursuant to the current Service Agreement. It noted that its Transfer Pricing Study under way will be completed in 2009 and that the Service Agreement stipulates compliance with the Board's Affiliate Relationships Code. In this regard, and in the context of the new section 2.3.4.3 of the updated Affiliate Relationships Code to be effective August 16, 2008, the Company will be providing in its next rebasing application detailed cost information of its affiliate in support of the Company's claimed costs.

Shared Services

The shared services charged to the Company by the City increased from \$4.1 million in 2006 to \$4.7 million in 2008, a 15% increase. The increase for 2008 compared to 2006 was attributed to cost increases in the areas of customer services, IT services (31%) and property management (30%).

Board staff expressed concerns with the substantial increases and the lack of justification in the Company's evidence to support such increases.

Regulatory Costs

The Company's 2008 regulatory costs are proposed at \$274,093 for regulatory staffing and \$115,000 for external regulatory services (legal and consulting services).

Both Board staff and SEC suggested that the external regulatory costs incurred in 2008 for mounting the 2008 cost of service application should be amortized over three years.

The Company noted in its reply submission that the costs associated with its 2008 rates application up to December 31, 2007 was \$96,073 and all these costs were paid in 2007. To the end of May 2008, the costs were \$68,435 and the Company anticipated

that there would be further costs of approximately \$26,000. The Company proposed to reflect in rates \$115,000 for external regulatory costs.

The Company indicated that costs incurred to date for external services used in the 2008 rates application are \$164,508 with an estimated final cost of \$190,508.

The Company submitted that it has not amortized the regulatory expenses amount of \$115,000 as it expects to spend similar levels during the 3rd Generation IRM process. It noted that its costs will include a smart meters application, a transfer pricing study, a study for cost allocation improvements, code compliance reviews and other preparatory work for its next rate base application.

Board Findings

While the proposed increase in controllable OM&A expenses in 2008 is only 2.3% compared to the 2007 bridge year, the increase is 25.7% from 2006 actuals. This is an excessive increase. Utilities are at risk for excessive bridge year spending levels if they rely on them as a base for test year spending.

Board staff and SEC noted in their submission that in certain OM&A expense areas the Company failed to provide sufficient information or adequate explanations to justify an overall increase of 25.7% in OM&A expenses. As well, they noted a number of discrepancies in the Company's evidence.

It is understandable that some utilities making a forward test year cost of service application for the first time would be uncertain as to the nature of and quality of the evidence that is required to support their proposals. However, as the Board has noted in other decisions², a proposal itself is not evidence of anything. What is needed is clear evidence that demonstrates the need for an expenditure request to be reflected in rates and a demonstration of prudence of that request.

In this case, it cannot be said that the evidence in support of the OM&A elements of the application was clear and persuasive, especially so given the relatively large increase in revenue requirement sought by the Company. The Board found the Company's evidence to be unclear and wanting in several areas, most notably in the areas that were raised as concerns by Board staff and SEC. Given that this is the Company's first attempt at a forward test year cost of service application, and because it falls within this early stage of the incentive rate mechanism plan, the Board is prepared to extend some latitude in this case with the understanding that the Company's quality of evidentiary support will improve in the future.

² For example, Norfolk Power Distribution Inc. Decision EB-2007-0753, May 26, 2008, pages 8-9.

Typically, past spending is a good indication of the normal pattern of OM&A expenses for a utility. By examining past spending it is possible to put a utility's proposal in a useful and informative context. That is not to say that past spending is determinative of appropriate spending levels going forward. A utility may have reasonable spending plans which are sharply increased or decreased from year-to-year. This can occur for a variety of reasons, both within and outside the control of the utility.

In this case, the Board examined the historic spending pattern of the utility and it shows that year over year spending from 2002 to 2006 increased at a considerably more modest levels than the very sharp increase in the bridge year over 2006 actual of 22.9%. In the Board's view, OM&A spending should be relatively smooth from year to year and the evidence did not adequately substantiate that such a large increase in that year, at least not to the degree that can be considered commensurate with the magnitude of the increase reported.

Accordingly the Board will approve an increase in OM&A spending of an amount equivalent to 15% over the 2006 actuals. This represents a 2008 Test Year level of Controllable Expenses of \$7.504 million, a reduction of \$693,303 from the proposed level of \$8.201 million. This rate of increase in OM&A for 2008 over 2006 generally falls within the ranges found appropriate by the Board in other 2008 cost of service applications that were not settled and were adjudicated by the Board.

The Board-approved Controllable OM&A spending for ratemaking purposes is an envelope approach. The specific OM&A line item expenses will be managed by the Company as it sees fit. The Company will be accountable for the decisions it makes in prioritizing its spending plans within the envelope as it supports its historic spending as a basis for its proposed revenue requirement in its next rate rebasing application.

Payments in Lieu of Taxes (PILs)

Adjustments for Interest Expense

Board Staff noted that the Company will pay more interest than the Board's deemed structure permits. In its calculation of PILs, the Company added back the higher forecast interest expense and deducted the lower permitted interest expense, thereby raising taxable income and increasing the allowance for PILs in rates. Board staff noted that this treatment was not accepted for the Oshawa PUC Networks Inc. application³. The reason that treatment was not accepted is that the pre-tax income used as the starting point for the regulatory tax calculation is after deduction of deemed interest. Thus, there is no need for the adjustment proposed by the Company. Similarly, SEC noted that Halton Hills Hydro Inc. had proposed the same treatment and subsequently altered its

³ Oshawa PUC EB-2007-0710 Rate Order, May 8, 2008.

calculation to address SEC's concern that Halton Hills would be over-leveraging itself, which the Board accepted⁴.

In its reply submission, the Company agreed to remove the interest expense addition and deduction in finalizing the allowance for PILs.

Regulatory Assets and PILs

In calculating the 2008 PILs provision, the Company included in taxable income the forecast net decrease in its regulatory assets of \$1,204,054. Board staff submitted that this treatment does not reflect the guidance provided by the Board in the 2006 EDR Handbook. In that regard, Board staff noted that, in the Board's decision on PUC Distribution Inc.⁵, the Board denied increasing regulatory taxable income through the addition of movements, or recoveries, in regulatory assets.

In its reply, Brantford submitted that it is appropriate to include the higher PILs provision in the 2008 revenue requirement because of the manner in which related reductions in PILs prior to May 1, 2006 were treated. Brantford noted that there was a fundamental change in the Board's PILs true up requirements in 2006. The Company submitted that the new PILs true up regime, which became effective May 1, 2006, did not provide the necessary transitional measures relating to the reversal of PILs-related true up variances that were created pre-May 2006.

Before May 1, 2006, Brantford credited the tax savings arising from increases in regulatory assets to deferral account 1562 for future disposition. Brantford argued that because the tax savings in those earlier periods were credited to a deferral account and were not for the benefit of the Company, it would be unfair to require the Company to bear the taxes payable when those regulatory assets decline.

In Brantford's view, the appropriate treatment would be to record taxes payable attributable to reversals of pre-May 1, 2006 regulatory asset balances in account 1562. The Company noted that the Board has not permitted any additional entries to account 1562 since April 30, 2006. Therefore, the Company proposed to include the PILs provision in its 2008 revenue requirement.

Board Findings

The Board has announced its intention to review the 2008 applications of seven distributors to dispose of the balances in the PILs account 1562. This PILs variance account was used for the period 2001 through April 30, 2006. The combined proceeding would likely include a review of the evidence and methodology of the prior PILs regime

⁴ Halton Hills Hydro Inc. EB-2007-0696 Decision, March 27, 2008, pages 8-9.

⁵ PUC Distribution Inc. EB-2007-0723 Decision, January 8, 2008, page 4.

and should deal with the issues described by Brantford in the instant proceeding. While Brantford did not request disposition of its 1562 account in this application, the outcome of the PILs combined proceeding will be applied to all electricity distributors.

The test year PILs tax allowance or proxy to be included in rates should reflect the forecast PILs tax exposure on base distribution income in the application. This is the position advocated by distributors in other cases, where applicants have submitted that changes in deferral or regulatory asset balances should not be included in the determination of test year PILs or taxes. In its reply submission, Brantford has introduced new information that was not tested by parties during the hearing and the Board appreciates the Company's attempt to clarify its position on a complex issue.

The Board does not approve Brantford's proposed treatment of regulatory assets in its PILs calculation. The appropriate forum for the issues raised by the Company is the Board's pending proceeding on account 1562. Until that proceeding is concluded, there is no basis for the Board to deviate from the findings it has made in other cases where the same issue has been identified.⁶ The Company shall remove the various amounts related to regulatory assets, including the Global Adjustment, from the computation of the test year PILs tax allowance. Brantford can track any variance that it believes to be correct, intervene in the combined PILs proceeding, and apply to the Board in a future application if its evidence can support its position.

Change in Tax Legislation

On December 13, 2007 the Ontario government issued an Economic Outlook and Fiscal Review. The document included corporate tax measures to reduce income tax on small businesses and to modify aspects of the capital tax calculations. The legislation, Bill 44, received Royal Assent on May 14, 2008. The effective date for the decrease in the capital tax rate from 0.285% to 0.225% was changed retroactively to January 1, 2007.

In response to Board staff's interrogatory #7.2(a), Brantford indicated that it was aware of the 0.225% reduced rate proposed by the government. The Company stated that this lower rate was not substantively enacted at the time of its application to the Board and it used the 0.285% rate. In response to interrogatory #7.1(b) related to the income tax rate, the Company stated that it will be amending the rate to the current enacted rate when it files its Draft Rate Order.

⁶ For example, Enwin Utilities EB-2007-0522 Decision, pages 4-5; PUC Distribution, EB-2007-0723 Decision, page 4; Enersource Hydro Mississauga EB-2007-0706 Decision (settlement agreement page 16).

Board Findings

Brantford shall reflect in its Draft Rate Order the new combined income tax rate for 2008 of 33.5%; the Ontario capital tax exemption amount of \$15 million and the new rate of 0.225%; and, the new applicable CCA class rates.

LOAD FORECAST

The Company's load forecast was developed using a normalized average consumption ("NAC") estimate for a given rate class multiplied by a customer count forecast for that rate class. The NAC value is based on 2004 consumption data that was generated by Hydro One using Hydro One's weather normalization model for the cost allocation initiative previously undertaken by the Board. The Company's 2008 load forecast is based on a forecast of customer growth using historical data from 2002 to 2006 and projected data for 2007 and 2008.

Board staff observed that the Company's methodology utilized only a single year of weather-normalized historical load to determine the future load. Board staff noted that this assumed that no CDM improvements had occurred over the past few years and that none were expected in the immediate future, and might therefore result in an overestimation of load. SEC shared Board staff's concerns.

In its reply submission, the Company stated that it is premature to comment on a multi-year normalization approach at this time pending the completion of its review of alternative methods to the single-year normalization used in the application.

Board Findings

The Board accepts the Company's customer forecast. The Board also accepts the Company's use of 2004 weather normalized data. The Board has noted Board staff's concerns, but the process to obtain this data was an intensive effort for all parties involved and the proposal is leveraging the value of this work. The Company has not expressed concern that its load may be overestimated.

OTHER MATTERS

In this section, the Board deals with the following issues: Retail Transmission Service Rates; and Line Losses.

Retail Transmission Service ("RTS") Rates

On October 17, 2007, the Board issued its EB-2007-0759 Rate Order, setting new Uniform Transmission Rates for Ontario transmitters, effective November 1, 2007. The

Board approved a decrease of 18% to the wholesale transmission network rate, a decrease of 28% to the wholesale transmission line connection rate, and an increase of 7% to the wholesale transformation connection rate.

On October 29, 2007, the Board issued a letter to all electricity distributors directing them to propose an adjustment to their RTS rates to reflect the new Uniform Transmission Rates for Ontario transmitters effective November 1, 2007. The objective of resetting the rates was to minimize the prospective balance in variance accounts 1584 and 1586 and also to mitigate intergenerational inequities.

Brantford proposed to reduce its rates for Retail Transmission Rate – Network Service (“RTR-N”) and Retail Transmission Rate – Line and Transformation Connection Service (“RTR-C”) by 16% and 14% respectively.

Board Findings

The Board finds Brantford’s proposal reasonable and accepts it.

Line Losses

In its original application, the Company proposed a Total Loss Factor of 1.0305 for Primary Metered Customers <5000kW and 1.0409 for Secondary Metered Customers <5000kW⁷. In response to a Board staff interrogatory, Brantford revised its request for Total Loss Factor for Secondary Metered Customers <5000kW to 1.0373. Based on this revised proposed Total Loss Factor and a Supply Facilities Loss Factor of 1.0045, the Distribution Loss Factor was derived to be 1.0326. In its reply submission, the Company clarified that the correct Distribution Loss Factor based on an averaging of losses in its distribution system for the 5-year period 2002 to 2006 is 1.0373, resulting in a further revised proposed Total Loss Factor of 1.0420 for Secondary Metered Customers <5000 kW.

Board Findings

The Board approves the proposed Total Loss Factor of 1.0420 for Secondary Metered Customers <5000kW. Reflecting a ratio of 0.99 between the primary and secondary factors in the Company’s original application, the Board approves a Loss Factor for Primary Metered Customers <5000kW of 1.0316.

CAPITALIZATION / COST OF CAPITAL

The Board’s guidelines for capitalization and cost of capital components are set out in its *Report of the Board on Cost of Capital and 2nd Generation Incentive Regulation for*

⁷ There are no rate classifications with demand >5000kW

Ontario's Electricity Distributors dated December 20, 2006 (the "Board Report"). The Board Report sets out the formulas and policy guidelines to be used to determine capitalization of rate base, the return on equity and the deemed costs of long term and short term debt and sets out the process by which these figures will be updated. Brantford had proposed an overall cost of capital based on the following capitalization and cost of capital components:

Proposed 2008 Capital Structure and Cost of Capital

Capital Component	% of Total Capital Structure	Cost (%)
Short-Term Debt	4.0	4.47
Long-Term Debt	49.3	6.04
Common Equity	46.7	8.57
Total	100.0	

The Board announced updated cost of capital parameters on March 7, 2008. In setting the ROE for the establishment of 2008 rates, the Board has used the Consensus Forecasts and published Bank of Canada data for January 2008, in accordance with the Board's guidelines. In fixing new rates and charges for Brantford, the Board has applied the policies described in the Board Report. Based on the final 2007 data published by *Consensus Forecasts* and the Bank of Canada, the Board has established the ROE to be 8.57%.

The Board Report also established that the short-term debt rate should be updated using the methodology in section 2.2.2 of the Board Report. The Board has set the short-term debt rate at 4.47% using data from *Consensus Forecasts* and the Bank of Canada for January 2008.

The Board Report also established that the deemed long-term debt rate should be updated using the methodology in Appendix A of the Board Report. The deemed long-term debt rate acts as a proxy for or ceiling on the allowed debt rate for new, affiliated or variable rate debt, and may be applicable for establishing the embedded cost of debt in the test year period depending on the nature of the distributor's debt financing. The Board has set the deemed long-term debt rate at 6.10% based on data from Consensus Forecasts and TSX Inc. for January 2008.

Board Findings

The Board approves the capitalization of rate base and cost of capital as proposed by the Company. The deemed capital structure of 53.3% long-term debt and 46.7% equity complies with the Board's direction to phase in a target 60:40 debt:equity ratio. The

proposed cost rate for short term and rate of return on common equity are consistent with the Board's direction. The proposed cost for long term debt reflects the Company's actual cost rate and is below the Board's updated deemed long-term debt rate of 6.10%.

COST ALLOCATION AND RATE DESIGN

The Company determined its total service revenue requirement to be \$18,649,709. The total revenue offsets in the amount of \$1,422,329 reduce the Company's base service revenue requirement to \$17,277,380 to be recovered from base rates.

Rate Classes

The Company is a host to one embedded distributor, Brant County Power, and also serves one large customer with demand greater than 5000 kW.

Board staff noted that the Company did not propose separate rate classifications for these loads; rather, they are being served within the GS>50 kW rate class.

With respect to the large customer, the Company noted that the customer is new in this size range and the Company did not want to jeopardize the timing of its application for 2008 rates by designing and implementing a new rate class. The Company proposed that it would undertake a cost allocation study to support the establishment of a large user rate class for its next rate rebasing.

With respect to the embedded distributor, Brantford clarified in response to an interrogatory that it intends to begin billing the embedded distributor in the 2008 rate year, and will do so by using the GS>50 kW rate classification. Board staff submitted that host distributors should be proposing a rate for embedded distributors, but noted that the practice of using the General Service rate is not unusual.

Board Findings

The Board accepts as reasonable the Company's proposal to defer the rate classification matter for the time of its next rebasing application. The Board notes that the issue of rates for embedded distributors is in the scope of a study currently underway at the Board (EB-2007-0031), the Rate Design study. The Board expects Brantford to keep itself informed as to potential developments through that process.

Revenue to Costs Ratios

The results of a cost allocation study are presented in the form of revenue to cost ratios. The Company filed results of a cost allocation study in the Informational Filing EB-2007-0001 as shown in Column 1 in the table below, based on its 2006 approved revenue requirement and rates. In its current application, the Company proposed the same

revenue to cost ratios for its rate classes shown in column 2 in the table below. The Board's target ranges contained in the Board's Cost Allocation Report for Electricity Distributors, dated November 28, 2007 (the "Cost Allocation Report"), are shown in column 3.

Revenue to Cost Ratios (%)

	Informational Filing / Run 2 Col 1	Per Application Col 2 (same as Col 1)	Board Target Range Col 3
Residential	91	91	85 – 115
GS < 50 kW	83	83	80 – 120
GS > 50 kW	140	140	80 – 180
Street Lighting	37	37	70 – 120
Sentinel Lighting	10	10	70 – 120
Unmetered Scattered Load (USL)	110	110	80 – 120
Back Up/Standby	116	116	N/A

Column 2 shows that two rate classes (Street Lighting and Sentinel Lighting) remain outside the Board's target range shown in Column 3.

With respect to the Street Lighting rate class, Board staff noted that in other situations similar to Brantford's the Board has directed that the rates be increased to reach the Board's target range in two or three years.

SEC argued that the rates for the Street Lighting and Sentinel Lighting rate classes should be increased to yield revenue to cost ratios of 100% and the ratio for the GS>50kW rate class should decrease to 120% in 2008 and 100% in 2009.

In its reply submission, the Company revised its proposal. It proposed to:

- set the 2008 rates for the Street Lighting and Sentinel Lighting rate classes so that the revenue to cost ratios will move by 50% toward the bottom of the Board's target ranges;
- achieve the remainder of the shift to the bottom of the Board's target ranges in two equal increments in the years 2009 and 2010; and

- apply the additional revenues from the Street Lighting and Sentinel Lighting rate classes to the GS>50 kW rate class since it is the rate class that it is over-contributing the most.

Board Findings

As the Board has noted in the Cost Allocation Report, cost causality is a fundamental principle in setting rates. However, observed limitations in data affect the ability or desirability of moving immediately to a revenue to cost framework around 100%. The Board's target ranges are a compromise until such time as data is refined and experience is gained.

In other decisions, the Board has adopted the general principle that, where the proposed ratio for a given class (Column 2) is above the Board's target range (Column 3), there should be a move of 50% toward the top of the range from what was reported in its Informational Filing (Column 1). None of Brantford's classes are in this situation. Where the revenue to cost ratios in the Informational Filing (Column 1) are below the Board's ranges (Column 3), the rates for 2008 shall be set so that the ratios for these classes shall move by 50% toward the bottom of the Board's target ranges.

The Board therefore accepts the Company's revised revenue to cost ratio proposals.

DEFERRAL AND VARIANCE ACCOUNTS

Disposition

The following table shows the deferral and variance account balances Brantford has sought to recover in its application. The balances are as of December 31, 2006 plus interest to April 30, 2008. (The balances in parentheses denote credit to customers)

Deferral and Variance Accounts Proposed for Disposition

Account #	Account Name	Balance Requested For Disposition
1508	Other Regulatory Assets	\$89,919
1525	Miscellaneous Deferred Debits	\$7,898
1550	Low Voltage Variance	(\$217,343)
1565	CDM	(\$89,823)
1566	CDM - Contra	(\$1,450)
1571	Pre-Market Opening Energy	(\$333,319)
1580	RSVA - WMSC	(\$2,422,484)
1582	RSVA – One Time WMS	\$333,033
1584	RSVA - RTNC	\$615,321
1586	RSVA - RTCC	(\$1,071,809)
1588	RSVA - Power	\$783,232
1518	RCVA - Retail	\$19,363
1548	RCVA - STR	\$320,252
TOTAL		(\$1,967,210)

Brantford proposed to refund the net balance to ratepayers over one year through rate riders.

Board staff noted that the Company has not provided the Continuity Statement that is necessary to confirm the balances requested for disposition.

On June 10, 2008, the Company provided this information with the explanation that its omission was inadvertent.

RSVA and RCVA accounts

Under section 78 (6.1) of the Ontario Energy Board Act 1998, the Board is obligated to review each quarter the balance in Account 1588, RSVA – Power. The Board recently announced that it intends to launch an initiative on a review and disposition process. The Board also indicated that it is considering extending this initiative to include all the RSVA accounts. The Board, therefore, does not approve clearance of these accounts at this time.

The Board's announced review noted above may also include RCVA accounts. For that reason, the Board finds that it would be appropriate to await the outcome of this initiative and therefore will not order disposition of the Company's RCVA accounts in this proceeding.

CDM accounts

Board staff noted that, as the CDM accounts are tracking accounts for 3rd Tranche CDM activities which were expected to continue till September 2007 and the reported balances are only as of December 31, 2006, it would be premature to dispose of these balances at this time.

In its reply submission, the Company noted that the \$89,823 balance consists of a debit balance of \$1,450 representing the balance in the 3rd Tranche CDM spending and a credit balance of \$91,273 representing the net recoveries and expenditures for Brantford's Incremental CDM program approved in the 2006 rates case. The Company noted that the Incremental CDM program ended April 30, 2007 and the actual credit balance as of April 30, 2008 is now \$90,996 rather than \$91,273. According to the Company, the principal reasons for the variance in the 2007 CDM spending were lower than projected uptake by customers for certain programs and lower than budgeted costs for certain other programs.

Board Findings

On the basis of the Company's explanation, the Board finds that it is not premature to dispose of the balances in this proceeding related to the incremental CDM programs.

However, the Board will not order disposition of the balances related to the 3rd Tranche CDM spending. Reporting on these expenditures is done through an annual process separate from this rate proceeding. The policy and methodology of disposing of residual 3rd Tranche spending has not been finalized and therefore ordering disposition of these balances would be premature.

Therefore, the Company is ordered to clear only the \$90,996 in account 1556 associated with incremental CDM spending.

Pre-Market Opening account

Board staff raised questions whether the 2004 balances in account 1571 are correct and, by association, the balances in certain other accounts, such as account 1590.

In its response submission, the Company set out the derivation of the balance in account 1571 and submitted that it is the correct balance.

Board Findings

The Board accepts the proposed balance in account 1571 on an interim basis. However, the Board is concerned with the information provided on the record to support the requested disposition of this variance account and other regulatory accounts.

Due to this concern, the Board will approve proposed clearance of account 1571. By this Decision, the Board informs the Board's Chief Regulatory Auditor ("CRA") of this situation and suggests that an audit review may assist the Board in determining how best to finalize the amounts in this account and other impacted accounts. When the CRA has concluded a review of these accounts, and depending upon the CRA's conclusions, the Board will determine whether it is necessary to order a different final disposition.

Request for Expanding Definition of Account 1592

The Company requested that account 1592 – PILS and Variance for 2006 and subsequent years be expanded to include the impact of PILs and taxes arising from non-discretionary changes in Generally Accepted Accounting Principles ("GAAP") due to the introduction of International Financial Reporting Standards ("IFRS") or changes to the Board's Accounting Procedures Handbook ("APH").

Board staff and SEC submitted that any changes will be generic to all distributors and should be dealt with if and when they arise. In its reply submission, the Company withdrew its request.

Board Findings

The Board accepts the Company's withdrawal of its original proposal. This is a generic matter that would apply to all distributors. In this regard, by letter dated May 8, 2008 the Board informed stakeholders of the commencement of a consultation process to deal with the matter of transitioning to International Financial Reporting Standards.

IMPLEMENTATION MATTERS

The Board has made numerous findings throughout this Decision. These are to be appropriately reflected in a Draft Rate Order prepared by the Company.

The Board issued an Interim Rates Order on April 21, 2008 declaring rates interim as of May 1, 2008. However, the Company was more than four months late in filing its application and did not adhere on several occasions to the Board's directed timelines during the proceeding, resulting in further delays. Given the time that is typically required to settle matters before the final Rate Order can be issued, the Board has determined that the effective date of the new rates shall be September 1, 2008. The current rates therefore shall continue to be effective until August 31, 2008. For additional clarity, the revenue deficiency arising from this Decision from May 1, 2008 to August 31, 2008, is not recoverable from customers. Given this effective date, the rate riders in connection with the disposal of the balances in the deferral/variance accounts shall be calculated in such manner so that they will reflect full recovery of the balances from September 1, 2008 to April 30, 2009.

The September 1, 2008 effective date is predicated on the Company complying with the timelines set out at the end of this Decision and its Draft Rate Order properly reflects the Board's findings. Should these not be reasonably adhered to, the effective date may be further delayed.

In filing its Draft Rate Order, it is the Board's expectation that the Company will not use a calculation of a revised revenue deficiency to reconcile the new distribution rates with the Board's findings in this Decision. Rather, the Board expects the Company to file detailed supporting material, including all relevant calculations showing the impact of this Decision on the Company's proposed revenue requirement, the allocation of the approved revenue requirement to the classes and the determination of the final rates. The Draft Rate Order shall also include customer rate impacts and detailed calculations of the revised variance account rate riders.

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

1. The Company shall file with the Board, and shall also forward to SEC, a Draft Rate Order attaching a proposed Tariff of Rates and Charges reflecting the Board's findings in this Decision, within 14 days of the date of this Decision.
2. SEC may file with the Board and forward to the Company any responses to the Company's Draft Rate Order within 20 days of the date of this Decision.
3. The Company shall file with the Board and forward to SEC responses to any comments on its Draft Rate Order within 26 days of the date of this Decision.

A cost awards decision will be issued after the steps set out below are completed.

4. SEC shall file with the Board and forward to the Company their respective cost claims within 26 days from the date of this Decision.
5. The Company may file with the Board and forward to SEC any objections to the claimed costs within 40 days from the date of this Decision.
6. SEC may file with the Board and forward to the Company any responses to any objections for cost claims within 47 days of the date of this Decision.

The Company shall pay the Board's costs of, and incidental to, this proceeding upon receipt of the Board's invoice.

DATED at Toronto, July 18, 2008
ONTARIO ENERGY BOARD

Original Signed By

Paul Vlahos
Presiding Member

Original Signed By

Bill Rupert
Member

TAB 5



EB-2007-0698

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 Brantford
Power Inc. for an order approving or fixing just and
reasonable rates and other charges for the distribution of
electricity for the 2008 rate year.

BEFORE: Paul Vlahos
Presiding Member

Bill Rupert
Member

RATE ORDER

Brantford Power Inc. ("Brantford" or "the Company") is a licensed distributor of electricity providing service to consumers within the city of Brantford. Brantford filed an application with the Ontario Energy Board for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2008. The Board assigned file number EB-2007-0698 to the application.

The School Energy Coalition ("SEC") requested and was granted intervenor status.

The Board issued an Order on April 21, 2008 declaring Brantford's current rates interim, effective May 1, 2008. The Board issued its Decision on Brantford's application on July 18, 2008. In the Decision, the Board ordered the effective date of the new rates to be

September 1, 2008. The Board noted that disposition of deferral account balances would be over an 8-month period from September 1, 2008 to April 30, 2009. The Board ordered Brantford to file a Draft Rate Order reflecting the Board's findings.

Brantford filed its Draft Rate Order on July 31, 2008. While SEC had the opportunity to file comments within 6 days from the date of the filing of the Draft Rate Order, the Board did not receive any comments from SEC. Subsequent to the filing, at the request of Board staff, Brantford provided additional information.

The Board has reviewed the information provided in the final revised Draft Rate Order and the proposed Tariff of Rates and Charges. The Board accepts Brantford's calculation of the Deferral Account Rate Riders to dispose the balances over the specified 8-month period. The Board is satisfied that the Tariff of Rates and Charges accurately reflects the Board's Decision.

For completeness of the regulated charges, the Board has included in the Tariff of Rates and Charges the charges pertaining to services provided to retailers or consumers regarding the supply of competitive electricity, which are referenced in Chapter 12 of the 2006 Electricity Distribution Rate Handbook.

THE BOARD ORDERS THAT:

1. The Tariff of Rates and Charges set out in Appendix "A" of this Rate Order is approved, effective September 1, 2008, for electricity consumed or estimated to have been consumed on and after such date.
2. The Tariff of Rates and Charges set out in Appendix "A" of this Order supersedes all previous distribution rate schedules approved by the Ontario Energy Board for Brantford Power Inc. and is final in all respects, except for the Standby Power rates which are approved on an interim basis.

3. Brantford Power Inc. shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, August 29, 2008

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix “A”

To The Rate Order Arising from Decision

EB-2007-0698

Brantford Power Inc.

August 29, 2008

Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective September 1, 2008

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

EB-2007-0698

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).

EFFECTIVE DATES

DISTRIBUTION RATES – September 1, 2008 for all consumption or deemed consumption services used on or after that date.
SPECIFIC SERVICE CHARGES – September 1, 2008 for all charges incurred by customers on or after that date.
RETAIL SERVICE CHARGES – September 1, 2008 for all charges incurred by retailers or customers on or after that date.
LOSS FACTOR ADJUSTMENT – September 1, 2008 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.

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 applies to a non residential account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 5,000 kW.

Unmetered Scattered Load

This classification refers to an 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 and the consumption is unmetered. Such connections include cable TV power packs, bus shelters, telephone boots, traffic lights, railway crossings, etc. The customer will provide detailed manufacturer information/documentation with regard to electrical demand/consumption of the proposed unmetered load.

Standby Power

This classification refers to an account that has Load Displacement Generation and requires the distributor to provide back-up service.

Sentinel Lighting

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

Street Lighting

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

Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective September 1, 2008

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

EB-2007-0698

MONTHLY RATES AND CHARGES

Residential

Service Charge	\$	11.31
Distribution Volumetric Rate	\$/kWh	0.0133
Deferral Account Rate Rider – effective until April 30, 2009	\$/kWh	(0.0008)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0058
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0051
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	24.02
Distribution Volumetric Rate	\$/kWh	0.0062
Deferral Account Rate Rider – effective until April 30, 2009	\$/kWh	(0.0008)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0052
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0045
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 50 to 4,999 kW

Service Charge	\$	303.21
Distribution Volumetric Rate	\$/kW	2.6861
Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	(0.2928)
Retail Transmission Rate – Network Service Rate	\$/kW	1.7828
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.5443
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Unmetered Scattered Load

Service Charge (per connection)	\$	11.86
Distribution Volumetric Rate	\$/kWh	0.0071
Deferral Account Rate Rider – effective until April 30, 2009	\$/kWh	(0.0008)
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0052
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0045
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Standby Power – APPROVED ON AN INTERIM BASIS

Standby Charge – for a month where standby power is not provided. The charge is applied to the contracted amount (e.g. nameplate rating of generation facility).	\$/kW	1.6450
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Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective September 1, 2008

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

EB-2007-0698

Sentinel Lighting

Service Charge (per connection)	\$	1.19
Distribution Volumetric Rate	\$/kW	5.6862
Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	(0.2530)
Retail Transmission Rate – Network Service Rate	\$/kW	1.6649
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.4423
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Street Lighting

Service Charge (per connection)	\$	0.49
Distribution Volumetric Rate	\$/kW	2.0711
Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	(0.2362)
Retail Transmission Rate – Network Service Rate	\$/kW	1.6457
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.4257
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Specific Service Charges

Customer Administration		
Arrears certificate	\$	15.00
Easement letter	\$	15.00
Credit reference/credit check (plus credit agency costs)	\$	15.00
Returned cheque charge (plus bank charges)	\$	15.00
Account set up charge/change of occupancy charge (plus credit agency costs if applicable)	\$	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 charge - At Meter – during regular hours	\$	65.00
Disconnect/Reconnect charge - At Meter – after regular hours	\$	185.00
Disconnect/Reconnect charge - At Pole - during regular hours	\$	185.00
Disconnect/Reconnect charge - At Pole - after regular hours	\$	415.00
Install/Remove load control device - during regular hours	\$	65.00
Temporary Service – Install & remove – overhead – no transformer	\$	500.00
Temporary Service – Install & remove – underground – no transformer	\$	300.00
Temporary Service – Install & remove – overhead – with transformer	\$	1000.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35
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)

Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective September 1, 2008

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

EB-2007-0698

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	1.0420
Total Loss Factor – Secondary Metered Customer > 5,000 kW	N/A
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0316
Total Loss Factor – Primary Metered Customer > 5,000 kW	N/A

TAB 6

November 14, 2008

Brian Hewson
Compliance Office
Ontario Energy Board
PO Box 2319
2300 Yonge St. 27th Floor
Toronto, Ontario, M4P1E4

**Re: Application of Brantford Power Inc. 2008 Tariff of Rates and Charges effective
Sept. 1, 2008 (and interim rate order dated May 1, 2008) – EB-2007-0698**

Overview:

Commencing May 1, 2008, using an interim rate order and officially approved effective September 1, 2008, Brantford Power Inc. (BPI) began charging Brant County Power (BCP) distribution charges, using a General Service > 50 kW rate, on three feeder lines:

1. 1000009670 - Colbourne St. West
 - a. Distribution (fixed & variable)
 - b. Regulatory Asset Recovery
2. 1000006030 - Powerline Rd. MS2
 - a. Distribution (fixed & variable)
 - b. Regulatory Asset Recovery
 - c. Retail Transmission (Connection and Transmission)
3. 1000001320 - Colbourne St.
 - a. Distribution (fixed & variable)
 - b. Regulatory Asset Recovery

In the decision provided by the OEB, the General Service > 50 kW rate was granted temporary approval to be charged for both embedded distribution customers (in lieu of a specific embedded cost based rate) and for the large use class (in lieu of a specific large use cost based rate). The OEB stated in the decision, that this practice is not ideal, however, is also not unique and was approved until the time in which BPI applies for specific larger use classes (next rebasing). Charges to BCP on the three feeder lines identified above are estimated annually between \$500,000 \$650,000.

Compliance Issue:

While BCP does not agree with the current rates being charged to the three feeder lines identified above, a broader issue is the fact that BCP is not a distribution customer of BPI, neither as a General Service Customer nor as an Embedded Customer.

A review of physical connections (Appendix A), IESO totalization tables (Appendix B), Distribution System Code, BPI's Conditions of Service and June 2008 BPI invoices (appendix C) all lead to the conclusion that BCP is a Wholesale Market Participant (WMP) and not an Embedded Distributor, using the OEB's and BPI's definition.

The definition of an embedded distributor, pulled from the DSC is as follows (page 3 of DSC):

"embedded distributor" means a distributor who is not a wholesale market participant and that is provided electricity by a host distributor;

The Brantford Power Inc. Conditions of Service document filed as part of the 2008 Rate Proceeding (EB-2007-0698) section 3.7.3 – Billing states;

"Brantford Power Inc. shall settle non-competitive electricity services based on the rates approved by the Ontario Energy Board and by the requirements of the Retail Settlement Code."

As Wholesale Market, Retail Transmission (with the exception of Powerline Rd. MS2), RRA, DRC and Commodity are settled with the IESO or Hydro One directly and not by BPI, BCP submits that we are not considered an Embedded Distributor following BPI definitions and guidelines.

To follow the definition from the DSC above, if we review the BCP IESO Totalization Tables (appendix B) we see that the points in question are all contained as additives on the tables, and are therefore wholesale points metered directly by the IESO. Please see appendix A.

It is BCP's submission that the current rate approved for BPI, Embedded Distributor (General Service > 50 kW) should not be applied as BCP is not an Embedded Distributor.

If the OEB agrees that BCP is not a distribution customer of BPI; the regulatory asset recovery should also not apply. As BCP is and has always been a WMP, any charges relating to variances for WMS, Retail Transmission and other non-competitive charges have been settled via the IESO. Since BCP has not accumulated any of these charges, BCP should not be responsible for the recovery of these variances.

Solution:

While BCP understands that they are using a portion of the BPI distribution system, the usage is actually wheeling usage as compared to distribution usage.

BPI is not responsible for settling Commodity, WMS, RRA, DRC or RTR charges. BPI does not provide any retail metering services nor carrying charges relating to non-competitive charges. As a result the application of distribution charges are inappropriate and in excess of the actual cost of the distribution system usage and BPI employees time.

If BPI applied to the OEB for a cost based wheeling charge, BCP would be fully supportive of the request and approval of the cost based charge.

Recently a decision with respect to Low Voltage Wheeling charges was approved for Cambridge and North Dumfries Hydro (EB-2007-0900). The rates approved are summarized below:

- For application to Waterloo North - \$0.59 per kW per month
- For application to Hydro One Networks - \$0.55 per kW per month

Impact to Customers:

The following chart compares actual June 2008 charges levied by BPI to a wheeling charge estimated at (using EB-2007-0900 results for quantitative purposes) \$0.60 per kW.

<u>Meter Point</u>	<u>Demand</u>	<u>Actual June Charges</u>	<u>Estimated LV Rate</u>	<u>Proposed Charges</u>	<u>Difference</u>
Colbourne West	3,608	\$ 12,127.58	\$ 0.60	\$ 2,164.80	\$ 9,962.78
Colbourne	8,570	\$ 28,368.24	\$ 0.60	\$ 5,142.00	\$ 23,226.24
Powerline	1,857	\$ 13,642.58	\$ 0.60	\$ 1,114.20	\$ 12,528.38
Total (June 2008)		\$ 54,138.40		\$ 8,421.00	\$ 45,717.40

The above chart indicates that in June 2008 BCP is being overcharged by approximately 85% using distribution charges and the EB-2007-0900 results.

If we assume the annual charges of the current rate amount to a range of \$500,000 to \$650,000, the annual overbilled amount would represent \$425,000 to \$552,500.

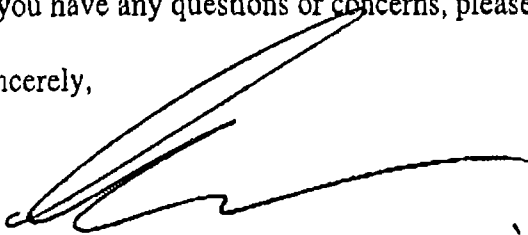
There are two separate accounting options for these charges. If we assume that the current charges from BPI are normal distribution expenses, then BCP and its shareholders are responsible for the incremental billings. If the assumption is made that these charges are LV related and should be placed into a variance account (i.e. 1550) then the utility is kept whole, however, ratepayers will be responsible for these charges upon disposition of variance accounts. Either method causes undue financial stress to the BCP community.

Requested Outcome:

It is BCP submission that effective immediately BPI be directed to cease billing BCP the distribution charges identified and rebate all charges levied upon the three lines in question.

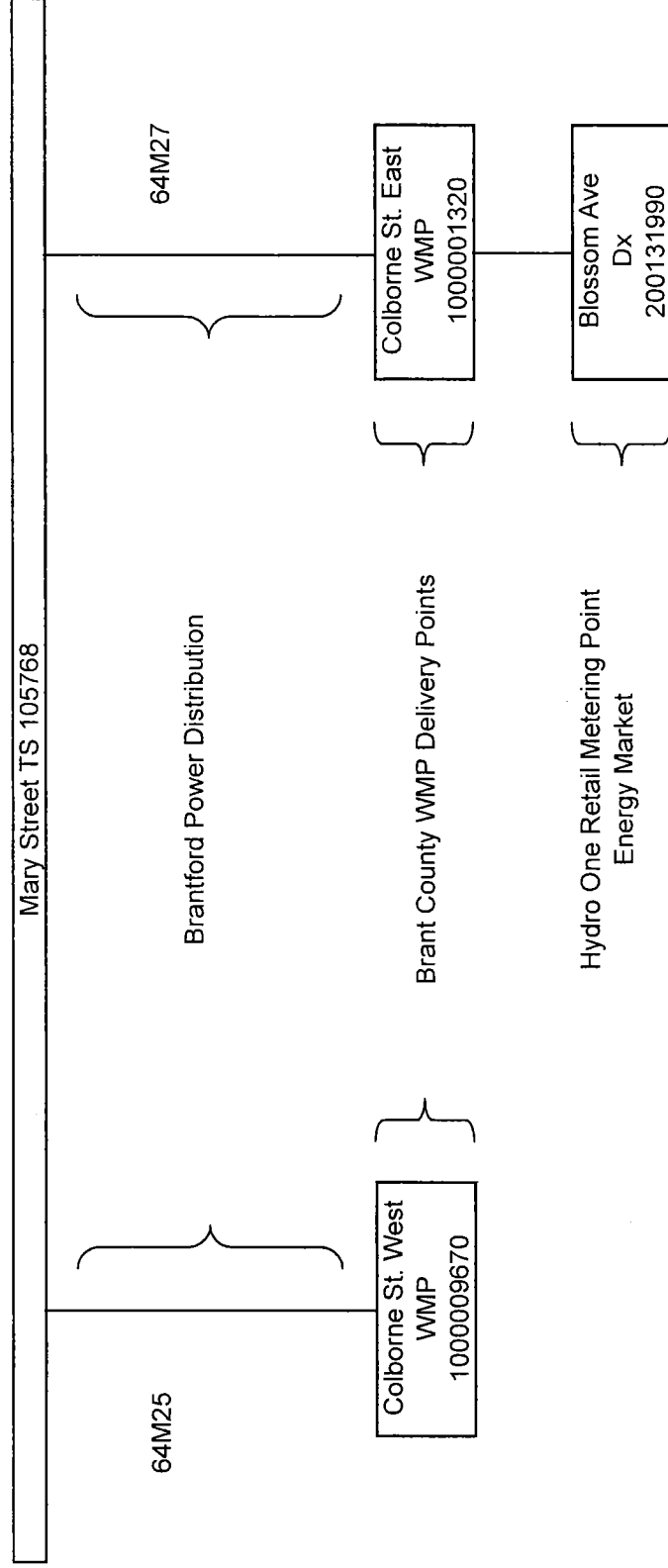
If you have any questions or concerns, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Noble', with a long horizontal flourish extending to the right.

Bruce Noble
Chief Executive Officer
Email: bnoble@brantcounrypower.com
Ph: 519-442-2215

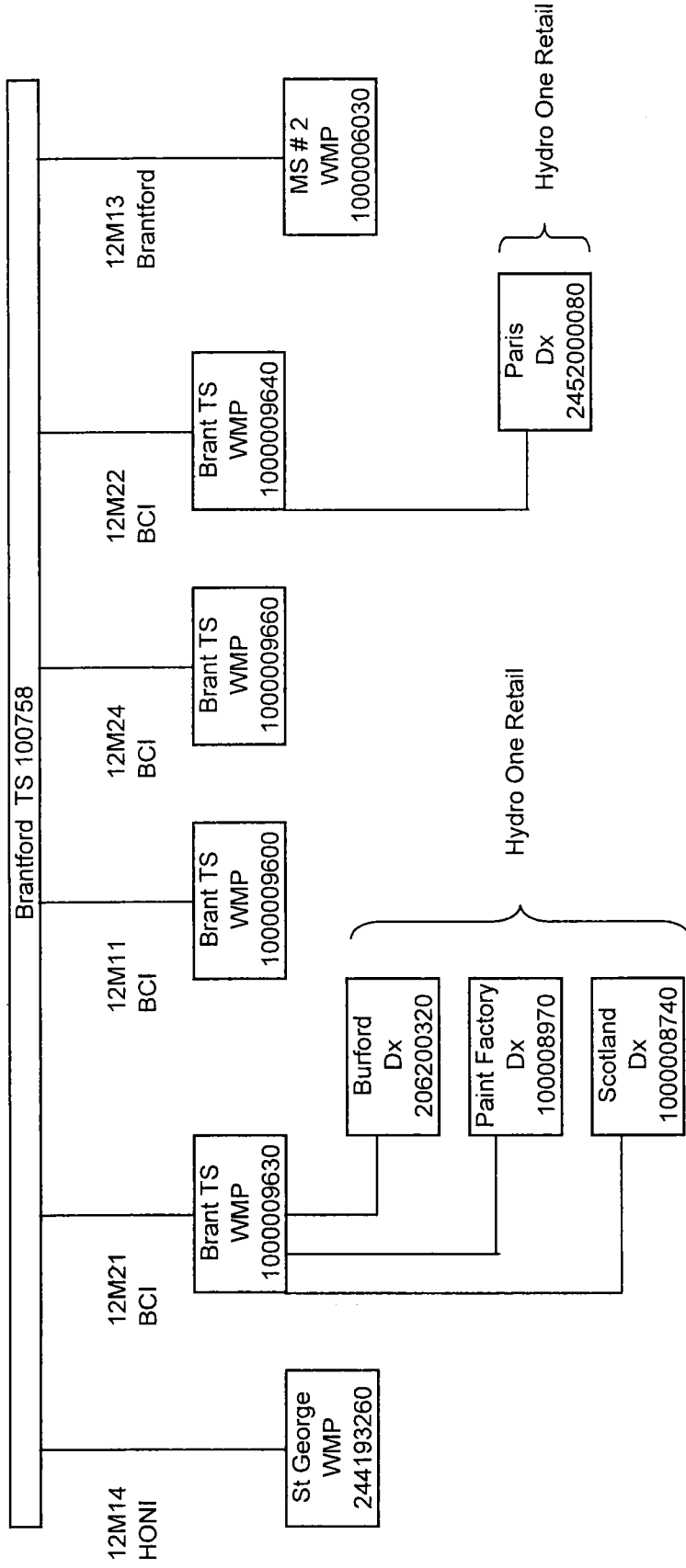
Appendix A1



NOTES

- 1 At the Mary Street TS on feeders 64M25 & 64M27, Brant County Power is a Wholesale Market Participant with Wholesale Delivery Points embedded in Brantford Power.
- 2 These metering points belong to Brant County Power.
- 3 Energy related charges are settled by the IESO.
- 4 Transmission charges are not settled at these Delivery Points; assumed to be settled upstream with Brantford Power.
- 5 Brantford Power is billing Brant County Power as an embedded distributor. Billing includes the volumetric distribution charge, regulatory charges, the fixed monthly service charge and GST at the GS > 50 kW rate.
- 6 At Blossom Ave., Hydro One has de-registered and Brant County Power is billing as GS > 50 kW rate for all line items including commodity

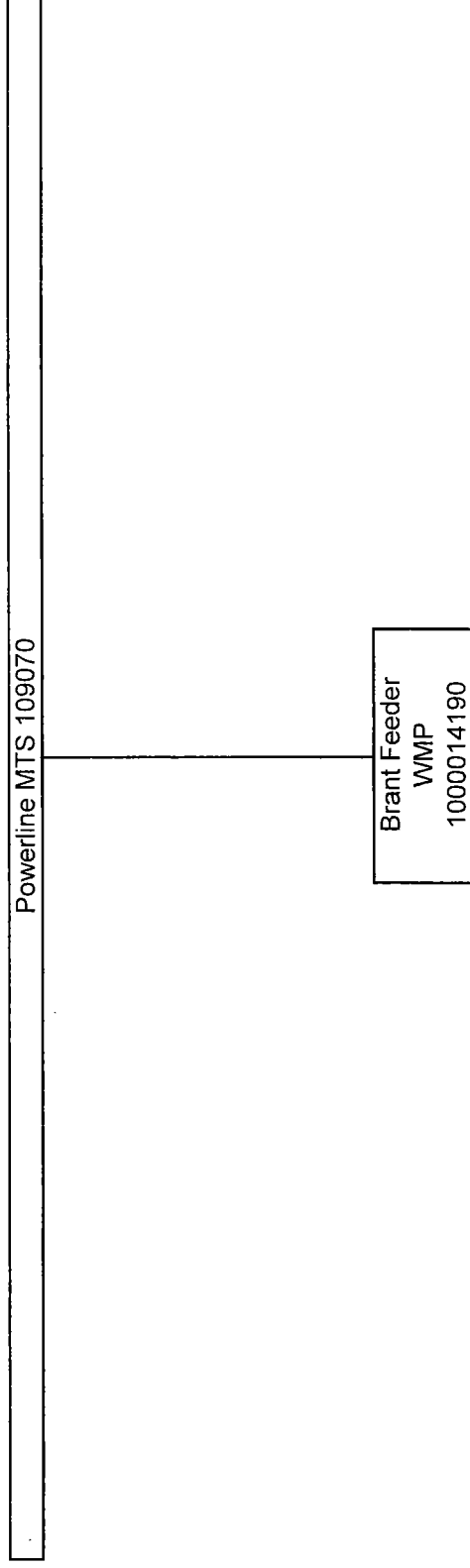
Appendix A2



NOTES

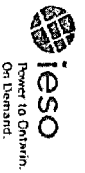
- 1 MS # 2 is a Brant County Power WMP Delivery Point embedded in Brantford Power distribution. Brantford Power bills Brant County Power as GS > 50 kW customer with exception of energy charges. Includes volumetric distribution, monthly service charge, retail transmission and regulatory charges. Credit is given for transformer ownership and primary metering.

Appendix A3



NOTES

- 1 This wholesale Market Participant delivery point is settled by the IESO.



TOTALIZATION TABLE FORM

Non-entitled
Station Service (MW) 7.0 MW (up to OMP)

Facility Name	Powerline MTS
Effective Date	Dec. 20, 2005
MSP ID	1015
Prepared By	Vico Genovese

Broker Ratio	
MMP Name	MMP1:Brant County Power Inc.
MMP2:Brantford Power Inc.	
MMP3:	
MMP4:	
MMP5:	

A. ENERGY MARKET

Original Factors		
K1	K2	K3
0.0214	0.00	49.03

MMP #	DP ID	Summary 1	Summary 2	Meter Point ID	Charge No	Operator (- or +)	Units	Energy Flow Direction	Description of Measured Circuit	Ratio (3 dec.)	MEC	Assumed Voltage	Assumed P.F.	Service Type	CT Ratio	PT Ratio	Transformation			Radial Line			TLF	
																	a(V)	b(V)	c(V)	k ₁	k ₂	k ₃		k ₄
1	109070			1000014190	1	+	kwh	del	Powerline MTS PMA-B		0	120	0.95	W	60	140				0	0.0637	0.05707	0.000	18.396
				1000014190	2	+	kwh	del	Powerline MTS PMA-B															
				1000014190	3	+	kwh	rec	Powerline MTS PMA-B															
				1000014190	4	+	kwh	rec	Powerline MTS PMA-B															
				20	1	+	kwh	del	Station Service estimate	0.375														

NOTE 1: An agreement between MMP2 stipulates that Station Service and SSI-A Transformation is to be split 3/8.

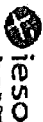
B. TRANSMISSION TARIFF

Name	
MMP1	Brant County Power Inc.
MMP2	

MMP #	DP ID	Summary 3	Summary 4	Meter Point ID	Charge No	Operator (- or +)	Units	Energy Flow Direction	Description of Measured Circuit	Ratio (3 dec.)	MEC	Assumed Voltage	Assumed P.F.	Service Type	CT Ratio	PT Ratio	Transformation			Radial Line			TLF
																	a(V)	b(V)	c(V)	k1	k2	k3	
1	109070			1000014190	1	+	kwh	del	Powerline MTS PMA-B														
				1000014190	2	+	kwh	rec	Powerline MTS PMA-B														
				20	1	+	kwh	del	Station Service estimate														
				1000014190	1	+	kwh	del	Powerline MTS PMA-B														
				1000014190	3	+	kwh	rec	Powerline MTS PMA-B														

* Suffix by "N" or by "C" to specify if a network or a connection Delivery Point

** Hatched cells to be completed for meters used exclusively for Transmission Tariffs



PERRY D. CHUBBS
 DO CHUBBS

Issued by Name
Effective Date
ICOP ID
Prepared by

Columbus Public School District at Brentwood TN
Label-08
9073
New Orleans-Louisiana

TOTALIZATION TABLE FORM

	Period 1		Period 2		Period 3	
	Total 7 points	Total Points	Total 7 points	Total Points	Total 7 points	Total Points
K-10 Home						
Adaptive Reading Comprehension Test						
Spelling						
Mathematics						

Abstract

A ENERGY MARKET

[illegible]

1. Directed Power in the LDC for Citizens' Party
2. Economic and Political Development in Puerto Rico

B. TRANSMISSION TARIFF

11/1/82	
11/1/82	
	11/1/82

[illegible]

MMP Name	Breaker Ratio		Total Feeders			
	MMP Feeders	Total Feeders	MMP Feeders	Total Feeders	MMP Feeders	Total Feeders
MMP1: Brant County Power Inc.(104230)	2 + (2)	8				
MMP2: Bradford Power (102121)	3					
MMP3:HOINT - Retail	1					

Bracketed stipulations No. of feeder ownership by H1

Original Factors		
k1	k2	k3
0.0338	-0.1374	187.56

A. ENERGY MARKET

MMP #	DP ID	Summary 1	Summary 2	Meter Part ID	Channel No	Operator	Vol	Energy Flow Direction	Description of Measured Circuit	Ratio (dec.)	MEC	Assumed Voltage	Assumed P.F.	Service Type	CTR Ratio	PT Ratio	Transformer		Radial Line			TLF	
																	kV ²	kV ²	kV ²	k ₁	k ₂		k ₃
				20	1	+	kWh	del	Estimated BPOANT'S SS1+SS2	0.250													
			100756C9	1000009600	1	+	kWh	del	M11 PNE		0	120	0.95	Y	120.000	140.000							
				1000009600	2	+	kWh	del															
				1000009600	3	+	kWh	rec															
				1000009600	4	+	kWh	rec															
				1000009630	1	+	kWh	del	M21 PNE		0												
				1000009630	2	+	kWh	del															
				1000009630	3	+	kWh	rec															
				1000009640	4	+	kWh	rec															
				1000009640	1	+	kWh	del	M22 PNE		0												
				1000009640	2	+	kWh	del															
				1000009640	3	+	kWh	rec															
				1000009640	4	+	kWh	rec															
				1000009660	1	+	kWh	del	M24 PNE		0	120	0.95	Y	120.000	140.000							
				1000009660	2	+	kWh	del															
				1000009660	3	+	kWh	rec															
				1000009660	4	+	kWh	rec															
				1000009680	4	+	kWh	rec															
				0206200320	1	-	kWh	del	Buford DS P2														
				1000008970	1	-	kWh	del	Home Hardware Buford		0.0												
				1000008970	2	-	kWh	del															
				1000008970	3	-	kWh	rec															
				1000008970	4	-	kWh	rec															
				1000008740	1	-	kWh	del	Scotland DS		0.0												
				1000008740	2	-	kWh	del															
				1000008740	3	-	kWh	rec															
				1000008740	4	-	kWh	rec															
				0245200080	1	-	kWh	del	Pine PNE														
				0244193280	1	+	kWh	del	St George (27.6) PNE		Public												

Page 2 of 1

Appendix C2

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82681-084	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$10,009.34
 Payment \$10,009.34CR
 Balance Forward \$0.00

Current Charges

Your Electricity Charges
 Delivery \$12,127.58
 Total Electricity Charges \$12,127.58
 GST #86585 8773 RT0001 \$606.38
 Summary of Current Charges \$12,733.96
 Balance Owning \$12,733.96 ✓

COMMUNITY MESSAGES

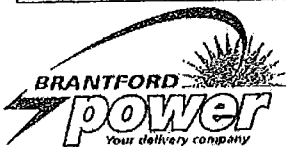
CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
 GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
 FOR MORE DETAILS".

Date: July 22/08
 Approved By: _____
 Auth. To Pay By: _____
 Payment Approved By: _____
 Received By: _____

G/L# 4714 (54%) - 6548.89
4716 (46%) - 5578.69
2290.63
606.38

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	KW	Demand Billed	Meter Size
Electricity	3		30	1.0	0	1.037	0	4008.88	3571.00	3607.99	



P.O. Box 515, 220 Colborne Street
 Brantford, Ontario N3T 6L6
 TEL: (519) 756-1360 FAX: (519) 753-9884
 e-mail address - customerservices@brantford.ca



www.brantfordpower.com

www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric J A S O N D J F M A M J J

Months

See back for Glossary of Terms

Session 4 - [24 x 80]

File Edit View Communication Actions Window Help



07/23/08 13:38:48 ELECTRIC Demand History by Account

BL00080

07/23/08 13:38:50 Consumption Statistic for Jul 2008

BL5701M1

Account Number 82681-004

Name BRANT COUNTY POWER

Rate BCD

Location 100-009710

COLBORNE ST W

Mtr

U	Sv	RSP	Rate	ChgID	Seq	Block	Chg	Size	Use	Amount	Ad
0	1		BCD	BCPDIS	362	2,481	8000		3607.99	8954.31	
1			BCD	BCPREG	364	.791	2000		3607.99	2854.64	
1			BCD	BCPFIX	363	.000	0000		.00	318.63	
1			GSTPWR		900	.050	0000		.00	606.38	

Bottom

F12=Previous

F1=Statistics

Appendix C

Service Address	Account Type	Account Number	Billing Period	Statement Date
POWERLINE RD M62	BCP TRANSMISSION	82681-003	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$11,950.96
 Payment \$11,950.96CR
 Balance Forward \$0.00

Current Charges

Your Electricity Charges \$13,642.58
 Delivery \$13,642.58
 Total Electricity Charges \$682.13
 GST #86585 8773 RT0001 \$14,324.71
 Summary of Current Charges \$14,324.71
 Balance Owning

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
 GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
 FOR MORE DETAILS".

Date: July 22/08

Approved By: _____

Auth. To Pay By: _____

Payment Approved By: _____

Received By: _____

G/L# 4714(54%) - 7,366.99
4716(46%) - 6,275.59
2290.63 - 682.13

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 2			30	1.0	0	1.037	0	2063.44	1846.00	1857.10	



www.brantfordpower.com

P.O. Box 515, 220 Colborne Street
 Brantford, Ontario N3T 6L6
 TEL-(519) 756-1360 FAX-(519) 753-9884
 e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
Jul2007	0	0.00

0	
0	
0	
0	
0	
0	
0	

kWh

Electric J A S O N D J F M A M J J

Months

See back for Glossary of Terms

Appendix C4

Session 4 - [24 x 80]

File Edit View Communication Actions Window Help



07/23/08 13:37:56 ELECTRIC Demand History by Account

BL000801

07/23/08 13:37:58 Consumption Statistic for Jul 2008

BL5701M1

Account Number 82681-003

Name BRANT COUNTY POWER

Location 024-4121660

POWERLINE RD

Rate BCP

U

Mtr

SV	RSP	Rate	ChgID	Seq	Block	Chg	Size	Use	Amount	Ad
0	1	BCP	BCPTCN	512	1.7879000			1857.10	3320.31	
0	1	BCP	BCPTNK	511	2.1137000			1857.10	3925.35	
0	1	BCP	BCPDIS	362	2.4818000			1857.10	4608.95	
0	1	BCP	BCPREG	364	.7912000			1857.10	1469.34	
0	1	BCP	BCPFIX	363	.0000000			.00	318.63	
0	1	GSTPMR		900	.0500000			.00	682.13	

0

Bottom

0

0

0

0

0

0

0

0

0

0

0

0

0

0

0

0

0

F12=Previous

F1=Statistics

Appendix C9

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges
Payment
Balance Forward

\$32,241.27
\$32,241.27CR
\$0.00

Current Charges

Your Electricity Charges
Delivery
Total Electricity Charges

\$28,368.24
\$28,368.24
\$1,418.41

GST #86585 8773 RT0001

Summary of Current Charges

\$29,786.65

Balance Owning

\$29,786.65

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
FOR MORE DETAILS".

Date: July 22/08

Approved By: _____

Auth. To Pay By: _____

Payment Approved By: _____

Received By: _____

CH 4714 (54%) 15,318.85
4716 (46%) 13,049.39
2290.63 1,418.41

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 4			30	1.0	0	1.037	0	9023.65	8570.00	8570.00	



www.brantfordpower.com

P.O. Box 515, 220 Colborne Street
Brantford, Ontario N3T 6L8
TEL: (519) 756-1360 FAX: (519) 753-9884
e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00 0.00

0	
0	
0	
0	
0	
0	

Electric J A S O N D J F M A M J J

Months

See back for Glossary of Terms

Appendix C's

Session 1 - [24 x 80]

File Edit View Communication Actions Window Help



07/23/08 13:39:07 ELECTRIC Demand History by Account

BL000801

07/23/08 13:39:10 Consumption Statistic for Jul 2008

BL5701M1

Account Number 82681-005

Name BRANT COUNTY POWER

Rate BCD

M Location 100-013320

COLBORNE ST

U

Mtr

0 Sv RSP Rate ChgID Seq

Block Chg Size

Use

Amount Ad

0 BCD BCPDIS 362

2.4818000

8570.00

21269.03

1 BCD BCPREG 364

.7912000

8570.00

6780.58

1 BCD BCPFIX 363

.0000000

.00

313.63

1 GSTPWR 900

.0500000

.00

1418.41

F12=Previous

Bottom

F1=Statistics

Appendix B

Compliance Officer Response – Dec. 15, 2008

Ontario Energy
Board
P.O. Box 2319
2300 Yonge Street
27th. Floor
Toronto ON M4P 1E4
Telephone: (416) 481-1967
Facsimile: (416) 440-7656
Toll Free 1-888-632-6273

Commission de l'énergie
de l'Ontario
C.P. 2319
2300, rue Yonge
27e étage
Toronto ON M4P 1E4
Téléphone: (416) 481-1967
Télécopieur: (416) 440-7656
Numéro sans frais : 1-888-632-6273



By Email: bnoble@brantcountypower.com

Mr. Bruce Noble
Chief Executive Officer
Brant County Power
65 Dundas Street East
Paris ON N3L 3H1

Re: Brantford Power Inc. distribution charges

Dear Mr. Noble:

I am writing in response to your letter of November 14, 2008 in respect of the rates being charged to Brant County Power Inc. ("BCP") by Brantford Power Inc. ("BPI"). Specifically, BCP has raised issues regarding the distribution charges that BPI has been charging BCP as an embedded distributor since May 2008.

In its RB-2007-0698 Decision with Reasons, the Board approved BPI's request to charge its one embedded distributor using its >50 kW General Service rate schedule. In the November 14, 2008 letter, BCP set out the charges that it is being charged by BPI for the three feeders that deliver power from BPI's system to BCP. Based on a review of your correspondence, it appears that BPI is charging BCP, an embedded distributor in accordance with the Board's Decision using the rates approved by the Board in its EB-2007-0698 Rate Order. These charges appear to be the appropriate charges.

In regard to BCP's claim that it is not in fact an embedded distributor customer of BPI, as contemplated in the Board's decision, I do not believe the view is supported by the facts. BPI indicated in its rate application that it served an embedded distributor, BCP is the only licensed electricity distributor that BPI is providing service to.

As a result of our review, the Compliance Office does not see any matter of non-compliance to pursue. Therefore, we intend to close the compliance file. If BCP considers the rate that it is being charged to be unreasonable or inappropriate, BCP may, if the Board permits, make a submission in the current BPI rate proceeding.

Thank you for raising this matter, if you should have any questions regarding the above information and determination please do not hesitate to contact me at 416-440-7628.

Sincerely,



Brian Hewson
Chief Compliance Officer

Appendix C

Letter of Direction (EB-2007-0698) – Jan. 9, 2008

Ontario Energy
Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'énergie
de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL

January 9, 2008

George Mychailenko
President
Brantford Power Inc.
84 Market Street
Brantford, ON N3T 5N8

Letter of Direction

Dear Mr. Mychailenko

**Re: Brantford Power Inc.
Board File Number EB-2007-0698**

The Ontario Energy Board has issued its Notice of Application and Hearing relating to your rate application.

You are directed:

- 1) To arrange immediately for the enclosed English version of the Notice, headed with the Ontario government logo and the words "Ontario Energy Board", to be published in one issue of the English language newspaper having the highest paid circulation, according to the best information available, in Brantford Power Inc.'s service area;

Please note that invoices regarding publication are not to be sent to the Board.

- 2) If Brantford Power Inc. is a host distributor, to immediately, and no later than the date of publication of the Notice, serve a copy of the Notice directly on its embedded distributor(s);
- 3) To file with the Board an affidavit proving publication and, where applicable, service of the Notice immediately thereafter;

- 4) To make a copy of the application and evidence, and any amendments thereto, available for public review at Brantford Power Inc.'s office and on its website, if available; and,
- 5) To provide a copy of the application and evidence, and any amendments thereto, to any intervenor who requests a copy.

Board staff contact

Please direct any questions relating to this application to Christie Clark, Project Advisor at (416) 440-7683, or by e-mail at christie.clark@oeb.gov.on.ca.

Yours truly,

Original Signed by

John Pickernell,
Assistant Board Secretary

cc: James C. Sidlofsky
Borden Ladner Gervais LLP
Scotia Plaza, 40 King Street West
Toronto, ON M5H 3Y4

TAB 7

IN THE MATTER OF the *Ontario Energy Board Act*, 1998, being Schedule B to the *Energy Competition Act*, 1998, S.O. 1998, c.15;

AND IN THE MATTER OF an Application by Brantford Power Inc. to the Ontario Energy Board for an Order or Orders approving or fixing just and reasonable rates and other service charges for the distribution of electricity as of May 1, 2008;

AND IN THE MATTER OF a Motion being brought by Brant County Power Inc. to review and vary the implementation of the Board's Interim Order Dated April 30, 2008 in this proceeding;

AND IN THE MATTER OF a Motion being brought by Brant County Power Inc. to review and vary the implementation of the Board's Decision dated July 18th, 2008 and the Board's Order dated August 29th, 2008 in this proceeding.

**AFFIDAVIT OF
GRANT GORDON BROOKER**

I, **GRANT GORDON BROOKER**, of the Town of Paris, in the County of Brant,
MAKE OATH AND SAY AS FOLLOWS:

1. I am the Chief Financial Officer of Brant County Power Inc. ("BCP") and as such I have knowledge of the matters hereinafter deposed to and where such statements are based upon information and belief, I provide the source of such information and believe it to be true.
2. During the summer of 2007 I was a party to discussions between BCP and Brantford Power Inc. ("Brantford") regarding the charging of rates by Brantford to BCP as part of the 2008 electricity distribution rate application. These discussions included Heather Wyatt from Brantford.
3. During the discussions with Brantford, BCP understood that a new wheeling rate would be included in Brantford's 2008 rate application, subsequently identified as Ontario Energy Board proceeding EB-2007-0698. BCP also made Brantford aware that BCP

wanted to be informed of the new rate proposal as such rate would have to be incorporated into a future BCP rate application.

4. At no time prior to May 1, 2008 was I, or to the best of my knowledge, any other senior manager at BCP ever made aware that Brantford was going to charge BCP as a General Service Greater than 50kW customer. This knowledge is based upon my discussions with Mr. Bruce Noble, current Chief Executive Officer, and Ms. Deb Sleeth, the former Chief Executive Officer of BCP. This knowledge is consistent with electronic mail correspondence between Ms. Sleeth and representatives of Brantford attached to this, my Affidavit, as Exhibit "A".
5. I conducted a search of BCP's records, electronic and paper, and have been unable to find any evidence that BCP received the Notice of Application that was referred to in the Affidavit of George Mychailenko dated January 22, 2008.
6. BCP has received invoices from Brantford totalling \$332,383.93. True copies of all such invoices, except April 2008, may be found at Exhibit "B" to this my affidavit.
7. I make this affidavit in support of the Motion being brought by BCP to review and vary the order of the Ontario Energy Board (the "Board") dated April 30, 2008, the Decision of the Board dated July 18, 2008 and the Board Order dated August 29, 2008 and for no improper purpose.

SWORN BEFORE ME at the)
Town of Paris in the)
County of Brant in the)
Province of Ontario on this 24th)
day of February, 2009.)


GRANT GORDON BROOKER


Commissioner for Take Affidavits, etc.

Heather Margaret Shannon,
a Commissioner, etc., County of Brant, for
Tharleton and Hunter, Barristers and Solicitors,
Expires October 10, 2011.

Attached is Exhibit "A"
referred to in the
Affidavit of Grant Brooker
sworn before me
this 24th day of February, 2009

Heather M Shannon

Commissioner for taking Affidavits, etc.

**Heather Margaret Shannon,
a Commissioner, etc., County of Brant, for
Tarrison and Hunter, Barristers and Solicitors.
Expires October 10, 2011.**

EB-2007-0698
February 24, 2009

Exhibit "A"

Correspondence of Ms. Sleeth and Brantford Power Inc. Representatives

From: HWyatt@brantford.ca [mailto:HWyatt@brantford.ca]
Sent: Friday, July 04, 2008 9:56 AM
To: Deb Sleeth
Cc: Grant Brooker; GMychallenko@brantford.ca
Subject: RE: FW: Powerline Rd

Deb

I'm sending your question back to George.

Heather Wyatt, MLS, MPA
Manager of Regulatory Compliance and Governance, Board Secretary
Brantford Power
84 Market Street
Brantford ON
N3T 5N8
[519] 751-3522 X3269; [519] 753-6130 [Fax]

"Deb Sleeth" <dsleeth@brantcountypower.com>

07/04/2008 09:41 AM

To <HWyatt@brantford.ca>
<GMychallenko@brantford.ca>, "Grant Brooker"
cc <gbrooker@brantcountypower.com>
Subject RE: FW: Powerline Rd

Thanks Heather


20/02/2009

My question to George and now to you is at what point, after we had been conversing on this subject due to the fact the charge for this was to be included in our rate application, were we to receive notification on what the rate would be? Understand that our decision to delay our rate application would certainly have been impacted by what we learned in May from George. May was the first time we heard from Brantford Power as to how that rate would be applied.

If there had been notification prior to that, I apologize for the confusion. But I've not seen it.

Deborah (Deb) Sleeth, CEO
Brant County Power Inc
519 442-3363 ext 725
519 732-1164 (cell)
519 442-3701 (fax)

This message is intended only for the individual(s) named and may contain information that is confidential. If you are not the intended recipient, any review, retransmission, dissemination, distribution or duplication of this communication is prohibited. Please notify the sender immediately via a return e-mail and delete this message from your system.

 please don't print this e-mail unless you really need to.

From: HWyatt@brantford.ca [mailto:HWyatt@brantford.ca]
Sent: Friday, July 04, 2008 9:16 AM
To: Deb Sleeth
Cc: GMychallenko@brantford.ca
Subject: Re: FW: Powerline Rd

Hi Deb

I had advised Grant back in the summer that BPI would be applying for an embedded distribution charge in its 2008 rate application. Subsequently, we decided that rather than a separate charge, we would apply the GS>50Kw rate to Brant County Power as the two rates were almost identical. This rate treatment is also common across the industry.

I would also note that Board staff in their interrogatories and submission in our rates case have raised the issue of not charging BCPI for delivering commodity to them.

Heather Wyatt, MLS, MPA
Manager of Regulatory Compliance and Governance, Board Secretary
Brantford Power
84 Market Street
Brantford ON
N3T 5N8
[519] 751-3522 X3269; [519] 753-6130 [Fax]
"Deb Sleeth" <dsleeth@brantcountypower.com>

07/03/2008 04:55 PM

To "Heather Wyatt" <HWyatt@brantford.ca>

cc

Subject FW: Powerline Rd

20/02/2009


Hi Heather

Would you please shed some light on the below questions?

Was there a notification sent to us or a conversation missed regarding how this was to be billed?

Deborah (Deb) Sleeth, CEO
Brant County Power Inc
519 442-3363 ext 725
519 732-1164 (cell)
519 442-3701 (fax)

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From: GMychallenko@brantford.ca [mailto:GMychallenko@brantford.ca]
Sent: Wednesday, July 02, 2008 4:18 PM
To: Deb Sleeth
Cc: HWyatt@brantford.ca
Subject: RE: Powerline Rd

Deb

The wheeling charge is now been equated as the distribution charge and as we have indicated, we are starting to invoice for the charges as of May 1 2008 per our rates process. For the details of what is in our rates application regarding the distribution, charge to another distributor please send Heather the information you require and she should be able to provide it to you.

George Mychallenko P. Eng., MASC., MBA
Chief Executive Officer

Brantford Power, 84 Markel Street, Box 308, Brantford, Ontario N3T 5N8
Tel. (519) 751-3522, ext. 3226

Fax (519) 753-6130

e-mail gmychallenko@brantford.ca

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20/02/2009

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"Deb Sleeth" <dsleeth@brantcountypower.com>

07/02/2008 11:33 AM

To <GMychallenko@brantford.ca>

cc

Subject RE: Powerline Rd

Perhaps my question wasn't clear enough, I'm sorry. The charges I'm referring to are the distribution charges. As I had stated in the other e-mail, I understood BPI was applying for a 'wheeling charge' for this and we were waiting for some indication of what those charges would be so we could also include them in our rate application.

Sorry for the confusion.

Deborah (Deb) Sleeth, CEO
Brant County Power Inc
519 442-3363 ext 725
519 732-1164 (cell)
519 442-3701 (fax)

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From: GMychallenko@brantford.ca [mailto:GMychallenko@brantford.ca]
Sent: Wednesday, July 02, 2008 8:55 AM
To: Deb Sleeth
Cc: Grant Brooker; Glen Fuller
Subject: RE: Powerline Rd

20/02/2009

Deb

The attachment of any lines to an existing feeder requires that it be done in accordance to ESA reg. 22/04. Until a design is completed the cost if any cannot be determined but the regulations requires that any change to the existing installation have to be installed to standards that are approved in order to insure that the installation is safe. The lines were purchased prior to the regulation so the existing lines was grandfathered in and are considered ok but if any new construction or addition is done to the lines, they have to be done in accordance to the regulations.

George Mychailenko P. Eng., MAsc., MBA

Chief Executive Officer

Brantford Power, 84 Market Street, Box 308, Brantford, Ontario N3T 5N8

Tel. (519) 751-3522, ext. 3226

Fax (519) 753-6130

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"Deb Sleeth"

[<dsleeth@brantcountypower.com>](mailto:dsleeth@brantcountypower.com)

07/02/2008 08:03 AM

To <GMychailenko@brantford.ca>

"Glen Fuller" <gfuller@brantcountypower.com>, "Grant Brooker"

cc <gbrooker@brantcountypower.com>

Subject RE: Powerline Rd

20/02/2009

Thanks George

Would you please explain to me why these charges were not in place after the feeders were purchased by Brantford Power from H1? If there is documentation to us concerning this I would appreciate copies or reference to when we should have received them.

Thanks in advance.

Deborah (Deb) Sleeth, CEO
Brant County Power Inc
519 442-3363 ext 725
519 732-1164 (cell)
519 442-3701 (fax)

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From: GMychailenko@brantford.ca [mailto:GMychailenko@brantford.ca]
Sent: Monday, June 30, 2008 3:54 PM
To: Deb Sleeth
Subject: Fw: Powerline Rd

Deb

As requested please find the attached the email sent to Glen.

George Mychailenko P. Eng., MASC., MBA
Chief Executive Officer

Brantford Power, 84 Market Street, Box 308, Brantford, Ontario N3T 5N8

Tel. (519) 751-3522, ext. 3226

Fax (519) 753-6130

e-mail gmychailenko@brantford.ca

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--- Forwarded by George Mychailenko/Brantford on 08/30/2008 03:33 PM ---

Altai
Hussain/Brantford

08/28/2008 12:09
PM

20/02/2009

To "Glen Fuller" <gfuller@brantcountypower.com>

Craig Branton/Brantford@Brantford, Faisal Habibullah/Brantford@Brantford, Lorna Gray-Welsler/Brantford@Brantford,
cc John Loucks/Brantford@Brantford, George Mychailenko/Brantford@Brantford, Ian Murchie/Brantford@Brantford, Steve
Collett/Brantford@Brantford

Subject Re: Powerline Rd Link

Hi Glen,

Welcome to the world of ESA 22/04? I believe, as Third Party Attacher, you have to do a complete design and plans approved by a P.Eng. considering all the existing and proposed facilities in terms of loading on these poles and clearances etc. What I know is many of the poles are old and class 4 as well. It will up to the P. Eng. to calculate the required pole strengths and heights and come up with the Make Ready, if any? I know Rogers wants to attach on some of these poles and their P. Eng. has recommended some Make Ready work including some pole change outs. This addition by Rogers has to be considered in your design as well. It may be worthwhile to coordinate your design with Rogers to avoid duplicate Make Ready work.

For your information Ron LaPier is doing the design for Rogers.

Craig/Faisal: Any additional comments, suggestions, observations you want to add to Glen?

Altat Hussain, P. Eng.



Director
Engineering & Construction
Brantford Power Inc.
84 Market Street, P.O. Box 308
Brantford, ON. N3T 5N8
Phones: 519-751-3522/519-759-4222; Ext: 3230
Fax: 519-753-3369
Email: ahussain@brantford.ca

"Glen Fuller" <gfuller@brantcountypower.com>

06/27/2008 10:48 AM

20/02/2009

To <AHussain@brantford.ca>

cc

Subject Powerline Rd

Hi Altaf

We are looking at extending our PM4 feeder from Paris Road to our MS#2 substation. We would be upgrading our 4.8 kV feeder on your poles to 27.6 kV. The only changes in clearance would be as a result of the higher insulators. I think most poles have adequate clearance but need to know if we would need to allow for any make ready charges from Brantford Power. Thanks.

Glen

20/02/2009

Attached is Exhibit "B"
referred to in the
Affidavit of Grant Brooker
sworn before me
this 24th day of February, 2009

Heather M. Shannon
Commissioner for taking Affidavits, etc.

**Heather Margaret Shannon,
a Commissioner, etc., County of Brant, for
Tharrison and Hunter, Barristers and Solicitors.
Expires October 10, 2011.**

EB-2007-0698
February 24, 2009

Exhibit “B”

Invoices from Brantford Power Inc. Commencing April 2008.

Service Address	Account Type	Account Number	Billing Period	Statement Date
POWERLINE RD MS2	BCP TRANSMISSION	82681-003	05/01/08 to 06/01/08	Jun 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$7,546.09
Payment \$7,546.09CR
Balance Forward \$0.00

Current Charges

Your Electricity Charges
Delivery \$11,381.87
Total Electricity Charges \$11,381.87
GST #86585 8773 RT0001 \$569.09
Summary of Current Charges \$11,950.96
Balance Owning \$11,950.96

COMMUNITY MESSAGES

Date: June 18/08

Approved By: @

Auth. To Pay By: 19

Payment Approved By: MS

Received By: @ 4

GIL# 4714 (54%) - 6146.21

4716 (46%) - 5235.66

2290.63 - 569.09

CONSERVATION MESSAGES

EVERY KILOWATT COUNTS SUMMER SWEEPSTAKES
SIGN UP BY JUNE 30TH TO QUALIFY FOR OUR
EARLY BIRD DRAW AT
EVERYKILOWATTCOUNTS.COM/SWEEPSTAKES

Meter Number	Present Reading 06/01/08	Previous Reading 05/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	2		31	1.0	0	1.037	0	1653.53	1542.00	1542.00	



www.brantfordpower.com

P.O. Box 515, 220 Colborne Street
Brantford, Ontario N3T 6L8
TEL: (519) 766-1360 FAX: (519) 763-8884
e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jun2008	0	0.00
Jun2007	0	0.00

0	
0	
0	
0	
0	
0	

Electric J J A S O N D J F M A M J

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	05/01/08 to 06/01/08	Jun 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

COMMUNITY MESSAGES

CONSERVATION MESSAGES
 EVERY KILOWATT COUNTS SUMMER SWEEPSTAKES
 SIGN UP BY JUNE 30TH TO QUALIFY FOR OUR
 EARLY BIRD DRAW AT
 EVERYKILOWATTCOUNTS.COM/SWEEPSTAKES

Prior Charges	\$0.00
Balance Forward	\$0.00
Current Charges	
Your Electricity Charges	
Delivery	\$30,705.97
Total Electricity Charges	\$30,705.97
GST #86585 8773 RT0001	\$1,535.30
Summary of Current Charges	\$32,241.27
Balance Owning	\$32,241.27

Date: June 23/08

Approved By: [Signature]

Auth. To Pay By: [Signature]

Payment Approved By: [Signature]

Received By: [Signature]

B/L# 4714 (54%) - 116581.00
4716 (46%) - 14104.75
2290.63 - 1535.30

Meter Number	Present Reading	Previous Reading	No. of Days	Mult.	Usage kwh/m3	Adjustment Factor	Adjusted Usage kwh	kva	Kw	Demand Billed	Meter Size
Electricity	4		31	1.0	0	1.037	0	9447.90	9281.00	9281.00	



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 Brantford, Ontario N3T 6L6
 TEL: (519) 758-1380 FAX: (519) 753-9884
 e-mail address: customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION		
BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jun2008	0	0.00

0	
0	
0	
0	
0	
0	

Electric J J A S O N D J F M A M J

Months

See back for Glossary of Terms

Service Address COLBORNE ST W	Account Type BCP DISTRIBUTION	Account Number 82681-004	Billing Period 05/01/08 to 06/01/08	Statement Date Jun 16, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

COMMUNITY MESSAGES

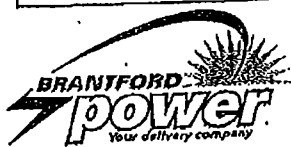
CONSERVATION MESSAGE

EVERY KILOWATT COUNTS SUMMER SWEEPSTAKES
SIGN UP BY JUNE 30TH TO QUALIFY FOR OUR
EARLY BIRD DRAW AT
EVERYKILOWATTCOUNTS.COM/SWEEPSTAKES

Prior Charges	\$0.00
Balance Forward	\$0.00
Current Charges	
Your Electricity Charges	\$9,532.70
Delivery	\$9,532.70
Total Electricity Charges	
GST #86585 8773 RT0001	\$476.64
Summary of Current Charges	\$10,009.34
Balance Owning	\$10,009.34

Date: June 23/08
Approved By: [Signature]
Auth To Pay By: [Signature]
Payment Approved By: [Signature]
Received By: [Signature]
O/L# 4714 (54%) - 5147.66
4716 (46%) - 4385.04
2290.63 - 476.64

Meter Number	Present Reading 06/01/08	Previous Reading 05/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Rw	Demand Billed	Meter Size
Electricity	3		31	1.0	0	1.037	0	3124.37	2767.00	2811.93	



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TEL: (519) 768-1360 FAX: (519) 753-9884
e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jun2008	0	0.00

0	
0	
0	
0	
0	
0	

Electricity J J A S O N D J F M A M J

Months

See back for Glossary of Terms

4

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$32,241.27
Payment \$32,241.27CR
Balance Forward \$0.00

Current Charges

Your Electricity Charges
Delivery \$28,368.24
Total Electricity Charges \$28,368.24
GST #86585 8773 RT0001 \$1,418.41
Summary of Current Charges \$29,786.65
Balance Owning \$29,786.65

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
FOR MORE DETAILS".

Date: July 22/08

Approved By: _____

Auth. To Pay By: _____

Payment Approved By: _____

Received By: _____

CU # 4714 (54%) 15,318.85
4716 (46%) 13,049.39
2290.63 1,418.41

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	4		30	1.0	0	1.037	0	9023.65	8570.00	8570.00	



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e-mail address: customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric J A B O N D J F M A M J J

Months

See back for Glossary of Terms

Service Address POWERLINE RD MS2	Account Type BCP TRANSMISSION	Account Number 82681-003	Billing Period 06/01/08 to 07/01/08	Statement Date Jul 16, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Chapman Station

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A CASH \$25.
GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
FOR MORE DETAILS".

Prior Charges
Payment
Balance Forward
\$11,950.96
\$11,950.96CR
\$0.00

Current Charges

Your Electricity Charges \$13,642.58
Delivery \$13,642.58
Total Electricity Charges \$682.13
GST #86585 8773 RT0001 \$14,324.71
Summary of Current Charges \$14,324.71 ✓
Balance Owning

Date: July 22/08
Approved By: _____
Auth. To Pay By: _____
Payment Approved By: _____
Received By: _____

G/L# 4714 (54%) = 7,366.99
4716 (46%) = 6,275.59
2290.63 = 682.13

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 2			30	1.0	0	1.037	0	2063.44	1846.00	1857.10	



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e-mail address - customerservices@brantford.ca



ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
Jul2007	0	0.00

0	
0	
0	
0	
0	
0	
0	

Electric J A S O N D J F M A M J J
Months

See back for Glossary of Terms

6

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82681-004	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
FOR MORE DETAILS".

Prior Charges	\$10,009.34
Payment	\$10,009.34 CR
Balance Forward	\$0.00
Current Charges	
Your Electricity Charges	\$12,127.58
Delivery	\$12,127.58
Total Electricity Charges	\$606.38
GST #86565 8773 RT0001	\$12,733.96
Summary of Current Charges	\$12,733.96 ✓
Balance Owning	

Date: July 22/08
 Approved By: _____
 Auth. To Pay By: _____
 Payment Approved By: _____
 Received By: _____

G/L# 4714 (54%) - 6548.89
4716 (46%) - 5578.69
2290.63
606.38

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	3		30	1.0	0	1.037	0	4008.88	3571.00	3607.99	



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www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul 2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric J A S O N D J F M A M J J

Months

See back for Glossary of Terms

Service Address COLBORNE ST	Account Type BCP DISTRIBUTION	Account Number 82681-005	Billing Period 07/01/08 to 08/01/08	Statement Date Aug 18, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

THE CITY OF BRANTFORD WILL BE CONSIDERING THE APPOINTMENT OF CITIZENS TO VARIOUS BOARDS AND ADVISORY COMMITTEES IN SEPTEMBER. DETAILS TO FOLLOW IN LOCAL MEDIA AND AT WWW.BRANTFORD.CA

SAFETY IS IN YOUR HANDS. TAKE TIME AND MAKE IT A PRIORITY! LEARN MORE ABOUT CHILD SAFETY BY VISITING WWW.BCHU.ORG OR CALL 519-753-4937

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25. GO TO BP.POWERSTAR.CA OR CALL 519-756-1360 FOR MORE DETAILS".

Prior Charges
Adjustments
Balance Forward

\$29,786.65
\$318.96CR
\$29,173.16

Current Charges

Your Electricity Charges

\$29,189.77
\$29,189.77

Delivery
Total Electricity Charges

\$10,603.49CR
\$5,292.60CR

Other Charges
Transformer Allowance
Transformer Allowance

\$664.68

GST #86585 8773 RT0001

\$13,950.36

Summary of Current Charges

\$43,131.52

Balance Owning

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 08/01/08	Previous Reading 07/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Me \$1
Electricity 4			31	1.0	0	1.037	0	9305.98	8821.00	8821.00	



www.brantfordpower.com

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Brantford, Ontario N3T 8L8
TEL: (519) 756-1360 FAX: (519) 753-8884
e-mail address: customerservices@brantford.ca



www.brantfc

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Aug2008	0	0.00
		0.00

kWh

Electric A B O N D J F M A M J J A

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82681-004	07/01/08 to 08/01/08	Aug 18, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

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CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25. GO TO BP.POWERSTAR.CA OR CALL 519-756-1360 FOR MORE DETAILS".

Prior Charges	\$12,733.96
Adjustments	\$96.64CR
Balance Forward	\$12,513.33
Current Charges	
Your Electricity Charges	
Delivery	\$13,448.20
Total Electricity Charges	\$13,448.20
Other Charges	
Transformer Allowance	\$3,813.44CR
Transformer Allowance	\$2,406.89CR
	\$361.39
GST #86585 8773 RT0001	\$7,589.26
Summary of Current Charges	\$20,102.59
Balance Owning	

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading	Previous Reading	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 3	08/01/08	07/01/08	31	1.0	0	1.037	0	4457.20	3949.00	4011.40	



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TEL: (519) 758-1360 FAX: (519) 753-9884
e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Aug 2008	0	0.00

0	
0	
0	
0	
0	
0	

Electric A S O N D J F M A M J J A

Months

See back for Glossary of Terms

Service Address POWERLINE RD M92	Account Type BCP TRANSMISSION	Account Number 82681-003	Billing Period 07/01/08 to 08/01/08	Statement Date Aug 18, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

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CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25. GO TO BP.POWERSTAR.CA OR CALL 519-756-1360 FOR MORE DETAILS".

Prior Charges
Adjustments
Balance Forward

\$14,324.71
\$156.02CR
\$14,068.66

Current Charges

Your Electricity Charges
Delivery
Total Electricity Charges

\$14,675.00
\$14,675.00

Other Charges
Transformer Allowance
Transformer Allowance
Late Payment Interest

\$2,019.07CR
\$1,200.60CR
\$14.00

\$572.77

GST #86585 8773 RT0001

\$12,042.10

Summary of Current Charges

\$26,110.76

Balance Owning

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 08/01/08	Previous Reading 07/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	2		31	1.0	0	1.037	0	2218.07	2001.00	2001.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Aug2008	0	0.00
Aug2007	0	0.00

kWh

Electric A B O N D J F M A M J J A

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	08/01/08 to 09/01/08	Sep 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

INFORMATION SESSION FOR SENIOR'S/CAREGIVERS ON THE USE & MISUSE OF MEDICATION OCTOBER 23. TO REGISTER CALL PENNY MCVICAR 519-752-3140.

BRANTFORD INTERNATIONAL JAZZ FESTIVAL SEPT 20 HARMONY SQUARE STARTING AT 12:00 P.M. - 6:00 P.M. SANDERSON CENTRE FOR THE PERFORMING ARTS 8:00 P.M. TO 10:00 P.M.

CONSERVATION MESSAGES

YOUR OLD FRIDGE WASTES \$120-\$150 A YEAR IN ELECTRICITY. YOU CAN GET RID OF IT FOR FREE. BOOK AN APPOINTMENT TODAY CALL 1-877-797-9473. OR WWW.EVERYKILOWATTCOUNTS.COM/ROUNDUP

Prior Charges	\$43,131.52
Balance Forward	\$43,131.52
Current Charges	
Your Electricity Charges	\$27,700.55
Delivery	\$27,700.55
Total Electricity Charges	
Other Charges	\$5,019.60CR
Transformer Allowance	\$1,134.05
GST #86585 8773 RT0001	\$23,815.00
Summary of Current Charges	\$56,946.52
Balance Owning	

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 09/01/08	Previous Reading 08/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 4			31	1.0	0	1.037	0	8751.26	8366.00	8366.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Sep2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

kWh

Electric S O N D J F M A M J J A S

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82681-004	08/01/08 to 09/01/08	Sep 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

INFORMATION SESSION FOR SENIORS/CAREGIVERS ON THE USE & MISUSE OF MEDICATION OCTOBER 23. TO REGISTER CALL PENNY MCVICAR 519-752-3140.

BRANTFORD INTERNATIONAL JAZZ FESTIVAL SEPT 20 HARMONY SQUARE STARTING AT 12:00 P.M. - 5:00 P.M. SANDERSON CENTRE FOR THE PERFORMING ARTS 8:00 P.M. TO 10:00 P.M.

CONSERVATION MESSAGES

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Prior Charges
Balance Forward

\$20,102.59
\$20,102.59

Current Charges

Your Electricity Charges
Delivery
Total Electricity Charges

\$12,168.00
\$12,168.00

Other Charges
Transformer Allowance

\$2,172.20CR
\$499.79

GST #86585 8773 RT0001

\$10,495.59

Summary of Current Charges

\$30,598.18

Balance Owning

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 09/01/08	Previous Reading 08/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 3			31	1.0	0	1.037	0	4022.60	3544.00	3620.34	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Sep2008	0	0.00
		0.00

kWh

Electric S O N D J F M A M J J A S

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
POWERLINE RD M82	BCP TRANSMISSION	82681-003	08/01/08 to 09/01/08	Sep 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

INFORMATION SESSION FOR SENIOR'S/CAREGIVERS ON THE USE & MISUSE OF MEDICATION OCTOBER 23. TO REGISTER CALL PENNY MCVICAR 519-752-3140.

BRANTFORD INTERNATIONAL JAZZ FESTIVAL SEPT 20 HARMONY SQUARE STARTING AT 12:00 P.M. - 6:00 P.M. SANDERSON CENTRE FOR THE PERFORMING ARTS 8:00 P.M. TO 10:00 P.M.

CONSERVATION MESSAGES

YOUR OLD FRIDGE WASTES \$120-\$150 A YEAR IN ELECTRICITY. YOU CAN GET RID OF IT FOR FREE. BOOK AN APPOINTMENT TODAY CALL 1-877-797-9473. OR WWW.EVERYKILOWATTCOUNTS.COM/ROUNDUP

Prior Charges
Balance Forward \$26,110.76

Current Charges

Your Electricity Charges
Delivery \$13,049.45
Total Electricity Charges \$13,049.45

Other Charges
Transformer Allowance \$1,064.66CR

GST #86585 8773 RT0001 \$599.24

Summary of Current Charges \$12,584.03

Balance Owning \$38,594.79

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 09/01/08	Previous Reading 08/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 2			31	1.0	0	1.037	0	1971.59	1739.00	1774.43	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Sep2008	0	0.00
Sep2007	0	0.00

0	
0	
0	
0	
0	
0	

Electric S O N D J F M A M J J A S

Months

See back for Glossary of Terms

Service Address COLBORNE ST	Account Type BCP DISTRIBUTION	Account Number 82681-005	Billing Period 09/01/08 to 10/01/08	Statement Date Oct 16, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

AS OF SEPTEMBER 1ST, ELECTRICITY DISTRIBUTION RATES HAVE CHANGED. FOR MORE INFO VISIT OUR WEBSITE AT WWW.BRANTFORDPOWER.COM OR CALL US AT 519-756-1360

COMMUNITY MESSAGES

THE CHILDREN'S SAFETY VILLAGE OF BRANT SAFE TRICK-OR-TREATING FOR KIDS 3-12 YRS. OLD SAT. OCT 25TH 10-3PM CASH DONATION 407 ELGIN ST. (MOHAWK COLLEGE CAMPUS)

CONSERVATION MESSAGES

BRIP-REBATES FOR INCREASING YOUR BUSINESS'S ENERGY EFFICIENCY. FOR MORE INFORMATION, VISIT WWW.BRANTFORDPOWER.COM

Prior Charges
Balance Forward

\$56,946.52
\$56,946.52

Current Charges

Your Electricity Charges
Delivery
Total Electricity Charges

\$20,988.22
\$20,988.22

Other Charges
Transformer Allowance

\$5,185.80CR

\$790.12

GST #86585 8773 RT0001

\$16,592.54

Summary of Current Charges

\$83,539.06

Balance Owning

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 10/01/08	Previous Reading 09/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 4			30	1.0	0	1.042	0	8855.21	8643.00	8643.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Oct2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric O N D J F M A M J J A S O

Months

See back for Glossary of Terms

Service Address COLBORNE ST W	Account Type BCP DISTRIBUTION	Account Number 82681-004	Billing Period 09/01/08 to 10/01/08	Statement Date Oct 16, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

AS OF SEPTEMBER 1ST, ELECTRICITY DISTRIBUTION RATES HAVE CHANGED. FOR MORE INFO VISIT OUR WEBSITE AT WWW.BRANTFORDPOWER.COM OR CALL US AT 519-756-1360

COMMUNITY MESSAGES

THE CHILDREN'S SAFETY VILLAGE OF BRANT SAFE TRICK-OR-TREATING FOR KIDS 3-12 YRS. OLD SAT. OCT 25TH 10-3PM CASH DONATION 407 ELGIN ST. (MOHAWK COLLEGE CAMPUS)

CONSERVATION MESSAGES

BRIP-REBATES FOR INCREASING YOUR BUSINESS'S ENERGY EFFICIENCY. FOR MORE INFORMATION, VISIT WWW.BRANTFORDPOWER.COM

Prior Charges
Balance Forward

\$30,598.18
\$30,598.18

Current Charges

Your Electricity Charges

\$8,519.87
\$8,519.87

Delivery

Total Electricity Charges

\$2,059.99CR

Other Charges

Transformer Allowance

\$322.99

GST #86585 8773 RT0001

\$5,782.87

Summary of Current Charges

\$37,381.05

Balance Owning

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 10/01/08	Previous Reading 09/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	3		30	1.0	0	1.042	0	3814.79	3380.00	3433.31	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Oct2008	0	0.00
		0.00

kWh

Electric 0 N D J F M A M J J A S O

Months

See back for Glossary of Terms

Service Address POWERLINE RD M82	Account Type BCP TRANSMISSION	Account Number 82681-003	Billing Period 09/01/08 to 10/01/08	Statement Date Oct 16, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

AS OF SEPTEMBER 1ST, ELECTRICITY DISTRIBUTION RATES HAVE CHANGED. FOR MORE INFO VISIT OUR WEBSITE AT WWW.BRANTFORDPOWER.COM OR CALL US AT 519-756-1360

COMMUNITY MESSAGES

THE CHILDREN'S SAFETY VILLAGE OF BRANT SAFE TRICK-OR-TREATING FOR KIDS 3-12 YRS. OLD SAT. OCT 25TH 10-3PM CASH DONATION 407 ELGIN ST. (NOHAWK COLLEGE CAMPUS)

CONSERVATION MESSAGES

BRIP-REBATES FOR INCREASING YOUR BUSINESS'S ENERGY EFFICIENCY. FOR MORE INFORMATION, VISIT WWW.BRANTFORDPOWER.COM

Prior Charges
Balance Forward

\$38,694.79
\$38,694.79

Current Charges

Your Electricity Charges
Delivery
Total Electricity Charges

\$10,431.41
\$10,431.41

Other Charges
Transformer Allowance

\$1,062.35CR

\$468.45

GST #86585 8773 RT0001

\$2,837.51

Summary of Current Charges

\$48,532.30

Balance Owning

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 10/01/08	Previous Reading 09/01/08	No. of Days	Mult.	Usage kwh/m3	Adjustment Factor	Adjusted Usage kwh	kva	Kw	Demand Billed	Meter Size
Electricity 2			30	1.0	0	1.042	0	1967.32	1755.00	1770.59	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Oct2008	0	0.00
Oct2007	0	0.00

kWh

Electric O N D J F M A M J J A S O

Months

See back for Glossary of Terms

Service Address COLBORNE ST	Account Type BCP DISTRIBUTION	Account Number 82681-005	Billing Period 10/01/08 to 11/01/08	Statement Date Nov 18, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

PLEASE BRING NON PERISHABLE FOOD FOR FOOD BANK - NOVEMBER 29TH @ 6PM
JCI SANTA CLAUS PARADE

SAFETY IS IN YOUR HANDS. TAKE TIME AND MAKE IT A PRIORITY! LEARN MORE ABOUT CHILD SAFETY BY VISITING WWW.BCHU.ORG OR CALL 519-753-4937

CONSERVATION MESSAGES

HOME RETROFIT INCENTIVE PROGRAM GREAT INCENTIVES ARE AVAILABLE ON IMPROVING YOUR HOME ENERGY EFFICIENCY. FOR DETAILS, VISIT WWW.BRANTFORDPOWER.COM

Prior Charges	\$83,539.06
Balance Forward	\$83,539.06
Current Charges	
Your Electricity Charges	\$22,421.81
Delivery	\$22,421.81
Total Electricity Charges	
Other Charges	\$5,545.20CR
Transformer Allowance	\$843.83
GST #86585 8773 RT0001	\$17,720.44
Summary of Current Charges	\$101,259.50
Balance Owning	

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 11/01/08	Previous Reading 10/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	4		31	1.0	0	1.042	0	9470.11	9242.00	9242.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Nov2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	
0	

Electric N D J F N A M J J A S O N

Months

See back for Glossary of Terms

Service Address COLBORNE ST W	Account Type BCP DISTRIBUTION	Account Number 82681-004	Billing Period 10/01/08 to 11/01/08	Statement Date Nov 18, 2008
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IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

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CONSERVATION MESSAGES

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Prior Charges	\$37,381.05
Balance Forward	\$37,381.05
Current Charges	
Your Electricity Charges	\$7,351.19
Delivery	\$7,351.19
Total Electricity Charges	
Other Charges	\$1,767.00CR
Transformer Allowance	\$279.21
GST #86585 8773 RT0001	\$5,863.40
Summary of Current Charges	\$43,244.45
Balance Owning	

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 11/01/08	Previous Reading 10/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	3		31	1.0	0	1.042	0	3254.42	2945.00	2945.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Nov2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric N D J F M A M J J A S O N

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
POWERLINE RD M92	BCP TRANSMISSION	82681-003	10/01/08 to 11/01/08	Nov 18, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

PLEASE BRING NON PERISHABLE FOOD FOR FOOD BANK - NOVEMBER 29TH @ 6PM
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CONSERVATION MESSAGES

HOME RETROFIT INCENTIVE PROGRAM, GREAT INCENTIVES ARE AVAILABLE ON IMPROVING YOUR HOME ENERGY EFFICIENCY. FOR DETAILS, VISIT WWW.BRANTFORDPOWER.COM

Prior Charges	\$48,532.30
Balance Forward	\$48,532.30
Current Charges	
Your Electricity Charges	\$10,553.89
Delivery	\$10,553.09
Total Electricity Charges	
Other Charges	\$1,075.20CR
Transformer Allowance	\$473.93
GST #86585 8773 RT0001	\$9,952.62
Summary of Current Charges	\$58,404.92
Balance Owning	

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 11/01/08	Previous Reading 10/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 2			31	1.0	0	1.042	0	1920.97	1792.00	1792.00	



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ENERGY MANAGEMENT INFORMATION		
BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Nov2008	0	0.00
Nov2007	0	0.00

0	
0	
0	
0	
0	
0	

Electric N D J F M A M J J A S O N
Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	11/01/08 to 12/01/08	Dec 15, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

CONSERVATION MESSAGES

SIGN UP FOR PEAKSAVER. GET A FREE PROGRAMMABLE THERMOSTAT AND RECEIVE \$25. GO TO BP.POWERSTAR.CA OR CALL 519-756-1360 FOR MORE DETAILS.

Prior Charges	\$101,259.50
Balance Forward	\$101,259.50
Current Charges	
Your Electricity Charges	\$20,727.35
Delivery	\$20,727.35
Total Electricity Charges	
Other Charges	\$5,120.40CR
Transformer Allowance	\$780.35
OST #86585 8773 RT0001	\$16,387.30
Summary of Current Charges	\$117,646.80
Balance Owning	

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 12/01/08	Previous Reading 11/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 4			30	1.0	0	1.042	0.	9819.54	8534.00	8534.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Dec2008	0	0.00
		0.00

kWh

0
0
0
0
0
0

Electric D J F M A M J J A S O N D

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
POWERLINE RD MS2	BCP TRANSMISSION	82681-003	11/01/08 to 12/01/08	Dec 15, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGE

CONSERVATION MESSAGES

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Prior Charges	\$58,484.92
Balance Forward	\$58,484.92
Current Charges	
Your Electricity Charges	
Delivery	\$12,252.84
Total Electricity Charges	\$12,252.84
Other Charges	
Transformer Allowance	\$1,253.40CR
GST #86585 8773 RT0001	\$549.97
Summary of Current Charges	\$11,542.41
Balance Owning	\$70,034.33

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 12/01/08	Previous Reading 11/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 2			30	1.0	0	1.042	0	2201.89	2089.00	2089.00	



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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Dec2008	0	0.00
Dec2007	0	0.00

0	
0	
0	
0	
0	
0	

Electric D J F M A M J J A S O N D

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82681-004	11/01/08 to 12/01/08	Dec 15, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

CONSERVATION MESSAGES

SIGN UP FOR PEAKSAVER. GET A FREE PROGRAMMABLE THERMOSTAT AND RECEIVE \$25. GO TO BP.POWERSTAR.CA OR CALL 519-756-1360 FOR MORE DETAILS.

Prior Charges	\$43,244.45
Balance Forward	\$43,244.45
Current Charges	
Your Electricity Charges	
Delivery	\$7,880.12
Total Electricity Charges	\$7,880.12
Other Charges	
Transformer Allowance	\$1,899.60CR
GST #86585 8773 RT0001	\$299.03
Summary of Current Charges	\$6,279.55
Balance Owning	\$49,524.00

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 12/01/08	Previous Reading 11/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	3		30	1.0	0	1.042	0	3473.28	3166.00	3166.00	



www.brantfordpower.com

P.O. Box 515, 220 Colborne Street
Brantford, Ontario N3T 6L6
TEL: (519) 756-1380 FAX: (519) 753-8884
e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Dec2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric D J F M A M J J A S O N D

Months

See back for Glossary of Terms

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82681-004	12/01/08 to 01/01/09	Jan 16, 2009

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

CONSERVATION MESSAGES

WORRIED ABOUT THE HIGH COST OF HOME HEATING? WANT TO HELP THE ENVIRONMENT? SIGN UP FOR THE PEAKSAVER PROGRAM TODAY! FOR DETAILS VISIT WWW.BRANTFORDPOWER.COM

Prior Charges	\$49,524.00
Balance Forward	\$49,524.00
Current Charges	
Your Electricity Charges	
Delivery	\$8,543.06
Total Electricity Charges	\$8,543.06
Other Charges	
Transformer Allowance	\$2,065.80CR
GST #86585 8773 RT0001	\$323.86
Summary of Current Charges	\$6,901.12
Balance Owning	\$56,325.12

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 01/01/09	Previous Reading 12/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	3		31	1.0	0	1.042	0	3734.32	3443.00	3443.00	



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www.brantfordpower.com

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jan2009	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric J F M A M J J A S O N D J

Months

See back for Glossary of Terms

24

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	12/01/08 to 01/01/09	Jan 16, 2009

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

YOUR ACCOUNT IS NOW OVERDUE. TO AVOID FURTHER COLLECTION ACTIVITY PLEASE PAY THE BALANCE FORWARD IMMEDIATELY AT OUR OFFICE

COMMUNITY MESSAGES

CONSERVATION MESSAGES

WORRIED ABOUT THE HIGH COST OF HOME HEATING? WANT TO HELP THE ENVIRONMENT? SIGN UP FOR THE PEAKSAVER PROGRAM TODAY! FOR DETAILS VISIT WWW.BRANTFORDPOWER.COM

Prior Charges	\$117,646.80
Balance Forward	\$117,646.80
Current Charges	
Your Electricity Charges	
Delivery	\$21,581.77
Total Electricity Charges	\$21,581.77
Other Charges	
Transformer Allowance	\$5,334.60CR
GST #86585 8773 RT0001	\$812.36
Summary of Current Charges	\$17,052.53
Balance Owning	\$134,706.33

Metered usage reduced by 1% for primary metering

Meter Number	Present Reading 01/01/09	Previous Reading 12/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	4		31	1.0	0	1.042	0	9100.79	8891.00	8891.00	



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www.brantfordpower.com

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ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jan2009	0	0.00
		0.00

0	
0	
0	
0	
0	
0	

Electric J F M A M J J A S O N D J

Months

See back for Glossary of Terms

TAB 8



EB-2007-0883

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 Kitchener-
Wilmot Hydro Inc. pursuant to section 78 of the Ontario
Energy Board Act seeking approval to amend electricity
distribution rates.

BEFORE: Paul Vlahos
Presiding Member

Paul Sommerville
Member

RATE ORDER

Kitchener-Wilmot Hydro Inc. ("Kitchener-Wilmot") is a licensed distributor of electricity providing service to consumers within its licensed service area. Kitchener-Wilmot filed an application with the Ontario Energy Board (the "Board") for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2008.

On March 19, 2008, the Board issued its Decision (the "Decision") regarding Kitchener-Wilmot's application.

The Board directed that Kitchener-Wilmot file with the Board a proposed Tariff of Rates and Charges reflecting the Board's Decision, within 7 days of the date of the Decision.

Kitchener-Wilmot has provided the Board with a proposed Tariff of Rates and Charges.

The Board is satisfied that the document accurately reflects the Decision.

Kitchener-Wilmot's Standby Power rates were approved as interim by the Board in its 2007 distribution rates order. The Board is still examining the issues related to standby rates, and is not in a position to make a final order for these rates at this time. The Standby Power rates will be adjusted by the price cap index but remain interim.

For completeness of the regulated charges, the Board has included in the Tariff of Rates and Charges the charges pertaining to services provided to retailers or consumers regarding the supply of competitive electricity, which are referenced in Chapter 12 of the 2006 Electricity Distribution Rate Handbook.

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, 2008, for electricity consumed or estimated to have been consumed on and after May 1, 2008.
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 Kitchener-Wilmot and is final in all respects, except for the Standby Power rates which are approved as interim.

3. Kitchener-Wilmot shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, April 18, 2008.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix "A"
To The Rate Order Arising from Decision
EB-2007-0883
Kitchener-Wilmot Hydro Inc.

April 18, 2008

Kitchener-Wilmot Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0883

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).

EFFECTIVE DATES

DISTRIBUTION RATES - May 1, 2008 for all consumption or deemed consumption services used on or after that date.

SPECIFIC SERVICE CHARGES - May 1, 2008 for all charges incurred by customers on or after that date.

RETAIL SERVICE CHARGES - May 1, 2008 for all charges incurred by retailers or customers on or after that date.

LOSS FACTOR ADJUSTMENT - May 1, 2008 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 applies to an account taking electricity at 750 volts or less where the electricity is used exclusively in a separate 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. All customers are single-phase.

General Service Less Than 50 kW

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

General Service 50 to 4,999 kW

This classification applies to a non residential account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 5,000 kW. Note that for the application of the Retail Transmission Rate – Network Service Rate and the Retail Transmission Rate – Line and Transformation Connection Service Rate the following sub-classifications apply:

General Service 50 to 999 kW non-interval metered

General Service 50 to 999 kW interval metered

General Service 1,000 to 4,999 kW interval metered.

Large Use

This classification applies to an account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 5,000 kW.

Unmetered Scattered Load

This classification applies to an account taking electricity at 750 volts or less whose average monthly maximum 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 level of the consumption will be agreed to by the distributor and the customer, based on detailed manufacturer information/documentation with regard to electrical consumption of the unmetered load or periodic monitoring of actual consumption.

Kitchener-Wilmot Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0883

Standby Power

This classification applies to an account with load displacement facilities that contracts with the distributor to provide emergency standby power when its load displacement facilities are not in operation. The level of the billing demand will be agreed to by the distributor and the customer, based on detailed manufacturer information/documentation such as name-plate rating of the load displacement facility.

Street Lighting

This classification applies to an account for roadway lighting with a Municipality, Regional Municipality, Ministry of Transportation and private roadway lighting, 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.

Embedded Distributor

This classification applies to an electricity distributor licensed by the Board that is provided electricity by means of this distributor's facilities.

MONTHLY RATES AND CHARGES**Residential**

Service Charge	\$	9.81
Distribution Volumetric Rate	\$/kWh	0.0123
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0042
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0016
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	25.42
Distribution Volumetric Rate	\$/kWh	0.0090
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0037
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0015
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 50 to 4,999 kW

Service Charge	\$	232.78
Distribution Volumetric Rate	\$/kW	3.5172
Retail Transmission Rate – Network Service Rate	\$/kW	1.9213
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	0.7696
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Large Use

Service Charge	\$	14,184.10
Distribution Volumetric Rate	\$/kW	1.4304
Retail Transmission Rate – Network Service Rate – Interval Metered	\$/kW	1.8058
Retail Transmission Rate – Line and Transformation Connection Service Rate – Interval Metered	\$/kW	0.7234
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Kitchener-Wilmot Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0883

Unmetered Scattered Load

Service Charge (per connection)	\$	12.58
Distribution Volumetric Rate	\$/kWh	0.0090
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0037
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0015
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Standby Power – INTERIM APPROVAL

Monthly Rate - Applicable Customer Class Distribution Volumetric Rate – \$/kW of contracted amount

Street Lighting

Service Charge (per connection)	\$	0.78
Distribution Volumetric Rate	\$/kW	4.3911
Retail Transmission Rate – Network Service Rate	\$/kW	1.1684
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	0.4681
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Embedded Distributor

Monthly Distribution Wheeling Service Rate – Dedicated LV Line	\$/kW	1.1280
Monthly Distribution Wheeling Service Rate – Shared LV Line	\$/kW	0.0998
Retail Transmission Rate – Network Service Rate	\$/kW	1.8115
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	0.7256

Specific Service Charges

Customer Administration		
Returned Cheque charge (plus bank charges)	\$	15.00
Account set up charge / change of occupancy charge (plus credit agency costs if applicable)	\$	10.00
Non-Payment of Account		
Late Payment - per month	%	1.50
Late Payment - per annum	%	19.56
Disconnect/Reconnect at meter – during regular hours	\$	45.00
Disconnect/Reconnect at meter – after regular hours	\$	75.00
Disconnect/Reconnect at pole – during regular hours	\$	95.00
Service call – after regular hours	\$	105.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35
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)

Kitchener-Wilmot Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0883

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	1.0329
Total Loss Factor – Secondary Metered Customer > 5,000 kW	1.0154
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0226
Total Loss Factor – Primary Metered Customer > 5,000 kW	1.0053

TAB 9



EB-2007-0900

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 Cambridge and
North Dumfries Hydro Inc. pursuant to section 78 of the
Ontario Energy Board Act seeking approval to amend
electricity distribution rates.

BEFORE: Paul Vlahos
Presiding Member

Paul Sommerville
Member

RATE ORDER

Cambridge and North Dumfries Hydro Inc. ("C&ND") is a licensed distributor of electricity providing service to consumers within its licensed service area. C&ND filed an application with the Ontario Energy Board (the "Board") for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2008.

On March 25, 2008, the Board issued its Decision (the "Decision") regarding C&ND's application.

The Board directed that C&ND file with the Board a proposed Tariff of Rates and Charges reflecting the Board's Decision, within 7 days of the date of the Decision.

C&ND has provided the Board with a proposed Tariff of Rates and Charges.

The Board is satisfied that the document accurately reflects the Decision.

For completeness of the regulated charges, the Board has included in the Tariff of Rates and Charges the charges pertaining to services provided to retailers or consumers regarding the supply of competitive electricity, which are referenced in Chapter 12 of the 2006 Electricity Distribution Rate Handbook.

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, 2008, for electricity consumed or estimated to have been consumed on and after May 1, 2008.
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 C&ND and is final in all respects except for the Embedded Distributor rates which are approved as interim.
3. C&ND shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, April 18, 2008.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix “A”

**To The Rate Order Arising from Decision
EB-2007-0900
Cambridge and North Dumfries Hydro Inc.**

April 18, 2008

Cambridge and North Dumfries Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0900

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).

EFFECTIVE DATES

DISTRIBUTION RATES - May 1, 2008 for all consumption or deemed consumption services used on or after that date.

SPECIFIC SERVICE CHARGES - May 1, 2008 for all charges incurred by customers on or after that date.

RETAIL SERVICE CHARGES - May 1, 2008 for all charges incurred by retailers or customers on or after that date.

LOSS FACTOR ADJUSTMENT - May 1, 2008 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

Residential refers to the supply of electrical energy to detached, semi-detached, and row-housing units (freehold or condominium). This classification typically refers to an account taking electricity at 750 volts or less where electricity is used exclusively in a separate 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. Separate metered dwellings within a town house complex, condominium, or apartment building also qualify as residential customers.

General Service

General Service refers to the supply of electrical energy to business customers, to bulk-metered residential buildings and to combined residential and business or residential and agricultural buildings. Apartment buildings that are bulk metered will be billed at the appropriate General Service rate.

General Service Less than 50 kW

This classification refers to a non residential 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.

General Service 50 to 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 1,000 kW.

General Service 1,000 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, 1,000 kW but less than 5,000 kW.

Large Use

This classification refers to an account whose average 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 average 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.

Cambridge and North Dumfries Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0900

Street Lighting

This classification refers 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.

Embedded Distributor

This classification applies to an electricity distributor licensed by the Board, that is provided electricity by means of this distributor's facilities.

MONTHLY RATES AND CHARGES

Residential

Service Charge	\$	9.00
Distribution Volumetric Rate	\$/kWh	0.0142
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0039
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0036
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	12.55
Distribution Volumetric Rate	\$/kWh	0.0131
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0035
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0033
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 50 to 999 kW

Service Charge	\$	99.51
Distribution Volumetric Rate	\$/kW	3.3617
Retail Transmission Rate – Network Service Rate	\$/kW	2.2454
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	2.0593
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 1,000 to 4,999 kW

Service Charge	\$	787.90
Distribution Volumetric Rate	\$/kW	2.8522
Retail Transmission Rate – Network Service Rate	\$/kW	1.7054
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.6162
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Cambridge and North Dumfries Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0900

Large Use

Service Charge	\$	4,385.25
Distribution Volumetric Rate	\$/kW	1.8342
Retail Transmission Rate – Network Service Rate	\$/kW	1.6160
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.6452
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Unmetered Scattered Load

Service Charge (per connection)	\$	6.13
Distribution Volumetric Rate	\$/kWh	0.0131
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0035
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0033
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Street Lighting

Service Charge (per connection)	\$	0.27
Distribution Volumetric Rate	\$/kW	1.7238
Retail Transmission Rate – Network Service Rate	\$/kW	1.1283
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.0349
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Embedded Distributor – APPROVED ON AN INTERIM BASIS

Monthly Distribution Wheeling Service Rate – Waterloo North Hydro	\$/kW	0.2018
Monthly Distribution Wheeling Service Rate – Hydro One Networks	\$/kW	0.0706

Specific Service Charges

Customer Administration		
Arrears certificate	\$	15.00
Statement of Account	\$	15.00
Pulling post dated cheques	\$	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
Notification charge	\$	15.00
Account history	\$	15.00
Credit reference/credit check (plus credit agency costs)	\$	15.00
Returned Cheque (plus bank charges)	\$	15.00
Charge to certify cheque	\$	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

Cambridge and North Dumfries Hydro Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

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

EB-2007-0900

Non-Payment of Account		
Late Payment - per month	%	1.50
Late Payment - per annum	%	19.56
Collection of account charge – no disconnection	\$	30.00
Collection of account charge – no disconnection after regular hours	\$	165.00
Disconnect/Reconnect at meter – during regular hours	\$	65.00
Disconnect/Reconnect at meter – after regular hours	\$	185.00
Disconnect/Reconnect at pole – during regular hours	\$	185.00
Disconnect/Reconnect at pole – after regular hours	\$	415.00
Install/Remove load control device – during regular hours	\$	65.00
Install/Remove load control device – after regular hours	\$	185.00
Service call – customer-owned equipment	\$	30.00
Service call – after regular hours	\$	165.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35
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	1.0419
Total Loss Factor – Secondary Metered Customer > 5,000 kW	1.0153
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0315
Total Loss Factor – Primary Metered Customer > 5,000 kW	1.0052

TAB 10



EB-2007-0928

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 Erie Thames
Powerlines Corporation for an order approving or fixing just
and reasonable rates and other charges for the distribution
of electricity to be effective May 1, 2008.

BEFORE: Paul Sommerville
Presiding Member

Ken Quesnelle
Member

RATE ORDER

Erie Thames Powerlines Corporation ("Erie Thames") is a licensed distributor of electricity providing service to consumers within its licensed service area. Erie Thames filed an application with the Ontario Energy Board for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2008. The Board assigned file number EB-2007-0928 to the application.

The intervenors in this proceeding were Energy Probe Research Foundation ("Energy Probe") and the Vulnerable Energy Consumers Coalition ("VECC").

The Board issued an Interim Rate Order on April 29, 2008 declaring the existing approved rates interim as of May 1, 2008.

The Board issued its Decision and Order on Erie Thames' application on October 27, 2008 and directed Erie Thames to file a Draft Rate Order reflecting the Board's findings. The Board invited comments from intervenors on the Draft Rate Order.

Erie Thames filed its Draft Rate Order on November 10, 2008. Energy Probe filed a letter of comment on the Draft Rate Order on November 13, 2008 in which it identified concerns about some of the calculations. Erie Thames responded on November 13, 2008 with a revised Draft Rate Order ("Draft Rate Order rev. 1"), noting that it made corrections based on Energy Probe's comments. As well, Erie Thames' Draft Rate Order rev. 1 noted a correction to the PILs tax provision.

On November 14, 2008, VECC filed a letter of comment on Draft Rate Order rev. 1 in which it identified concerns about some of the calculations. The concerns were different than those raised by Energy Probe. Erie Thames responded on November 18, 2008 with a second revised Draft Rate Order ("Draft Rate Order rev. 2"), noting that it made corrections based on VECC's comments. As well, Erie Thames, in Draft Rate Order rev. 2, noted that it made correcting adjustments to the Revenue at Current Rates data.

The Board has reviewed the material included in Draft Rate Order rev. 2 and the resulting Tariff of Rates and Charges and is satisfied that the material accurately reflects the Board's October 27, 2008 Decision and Order.

As an administrative matter, and for completeness of the regulated charges, the Board has included in the Tariff of Rates and Charges the charges pertaining to services provided to retailers or consumers regarding the supply of competitive electricity, which are referenced in Chapter 12 of the 2006 Electricity Distribution Rate Handbook.

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, 2008, but implemented December 1, 2008 for electricity consumed or estimated to have been consumed on and after December 1, 2008.
2. The Tariff of Rates and Charges set out in Appendix A of this Order supersedes all previous distribution rate schedules approved by the Ontario Energy Board for Erie Thames Powerlines Corporation and is final in all respects.
3. Erie Thames Powerlines Corporation shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, November 25, 2008

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix A

To The Rate Order Arising from Decision

EB-2007-0928

Erie Thames Powerlines Corporation

November 25, 2008

Erie Thames Powerlines Corp.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008

Implementation December 1, 2008

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

EB-2007-0928

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 e approved 2006 Electricity Distribution Rate Handbook or any other Licence conditions, Codes, Guidelines or Orders 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 – December 1, 2008 for all consumption or deemed consumption services used on or after that date.

SPECIFIC SERVICE CHARGES – December 1, 2008 for all charges incurred by customers on or after that date.

RETAIL SERVICE CHARGES – December 1, 2008 for all charges incurred by retailers or customers on or after that date.

LOSS FACTOR ADJUSTMENT – December 1, 2008 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 Customers

This classification refers to the supply of electrical energy to customers residing in residential dwelling units. Further servicing details are available in the distributor's Conditions of Service.

General Service Less Than 50 kW

This classification applies to a non residential account whose average monthly maximum demand is less than or is forecast to be less than, 50 kW, and town houses and condominiums that require centralized bulk metering. Further servicing details are available in the distributor's Conditions of Service.

General Service 50 to 999 kW

This classification applies to a non residential account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 1,000 kW. Note that for the application of the Retail Transmission Rate – Network Service Rate and the Retail Transmission Rate – Line and Transformation Connection Service Rate the following sub-classifications apply:

General Service 50 to 999 kW non-interval metered

General Service 50 to 999 kW interval metered

Further servicing details are available in the distributor's Conditions of Service.

General Service 1,000 to 2,999 kW

This classification applies to a non residential account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 1,000 kW but less than 3,000 kW. Note that for the application of the Retail Transmission Rate – Network Service Rate and the Retail Transmission Rate – Line and Transformation Connection Service Rate the following sub-classifications apply:

General Service 1,000 to 2,999 kW non-interval metered

General Service 1,000 to 2,999 kW interval metered

Further servicing details are available in the distributor's Conditions of Service.

General Service 3,000 to 4,999 kW

This classification applies to an account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 3,000 kW but less than 5,000 kW. Further servicing details are available in the distributor's Conditions of Service.

Erie Thames Powerlines Corp.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008
Implementation December 1, 2008

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EB-2007-0928

Large Use

This classification applies to an account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 5,000 kW. Further servicing details are available in the distributor's Conditions of Service.

Unmetered Scattered Load

This classification refers to an 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 and the consumption is unmetered. Such connections include cable TV power packs, bus shelters, telephone booths, traffic lights, railway crossings, decorative street lighting, billboards, etc. The level of consumption will be agreed to by the distributor and the customer, based on detailed manufacturer information/documentation with regard to electrical consumption of unmetered load or periodic monitoring of actual consumption. Further servicing details are available in the distributor's Conditions of Service.

Sentinel Lighting

This classification refers to accounts that are 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, controlled by photo cells. The consumption for these customers will be based on the calculated connection load times the required lighting times established in the approved OEB street lighting load shape template. Street Lighting plant, facilities or equipment owned by the customer are subject to the ESA requirements.

Embedded Distributor

This classification applies to an electricity distributor licensed by the Ontario Energy Board that is provided electricity by means of this distributor's facilities.

MONTHLY RATES AND CHARGES**Residential**

Service Charge	\$	14.39
Distribution Volumetric Rate	\$/kWh	0.0143
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kWh	0.0029
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kWh	(0.0066)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kWh	0.0018
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0038
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0047
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	19.13
Distribution Volumetric Rate	\$/kWh	0.0106
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kWh	0.0016
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kWh	(0.0038)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kWh	0.0017
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0035
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0044
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Erie Thames Powerlines Corp.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008
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EB-2007-0928

General Service 50 to 999 kW

Service Charge	\$	205.49
Distribution Volumetric Rate	\$/kW	1.7632
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	0.2108
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(0.4889)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.6116
Retail Transmission Rate – Network Service Rate	\$/kW	1.5967
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.5513
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 1,000 to 2,999 kW

Service Charge	\$	2,376.33
Distribution Volumetric Rate	\$/kW	3.1075
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	0.3747
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(0.8691)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.6577
Retail Transmission Rate – Network Service Rate	\$/kW	1.7342
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.6682
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 3,000 to 4,999 kW

Service Charge	\$	1,399.56
Distribution Volumetric Rate	\$/kW	1.5890
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	0.0884
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(0.2051)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.7019
Retail Transmission Rate – Network Service Rate	\$/kW	1.8284
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.7803
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Large Use

Service Charge	\$	9,704.76
Distribution Volumetric Rate	\$/kW	2.0444
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	0.0130
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(0.0303)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.0632
Retail Transmission Rate – Network Service Rate – Interval Metered	\$/kW	1.9225
Retail Transmission Rate – Line and Transformation Connection Service Rate – Interval Metered	\$/kW	1.8923
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Erie Thames Powerlines Corp.

TARIFF OF RATES AND CHARGES

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EB-2007-0928

Unmetered Scattered Load

Service Charge	\$	2.73
Distribution Volumetric Rate	\$/kWh	0.0134
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kWh	0.0016
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kWh	(0.0038)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kWh	0.0017
Retail Transmission Rate – Network Service Rate – Interval Metered	\$/kWh	0.0035
Retail Transmission Rate – Line and Transformation Connection Service Rate – Interval Metered	\$/kWh	0.0044
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Sentinel Lighting

Service Charge (per connection)	\$	5.08
Distribution Volumetric Rate	\$/kW	14.6337
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	2.9393
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(6.8155)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.4723
Retail Transmission Rate – Network Service Rate	\$/kW	1.2331
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.1980
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Street Lighting

Service Charge (per connection)	\$	3.70
Distribution Volumetric Rate	\$/kW	11.0808
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	2.3342
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(5.4132)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.4723
Retail Transmission Rate – Network Service Rate	\$/kW	1.2331
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.1980
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Embedded Distributor

Service Charge	\$	2,211.06
Distribution Volumetric Rate	\$/kW	1.6654
Deferred Revenue Recovery Rate Rider from EB-2007-0016 Decision – effective until April 30, 2009	\$/kW	0.1546
Revenue Sufficiency Rate Rider – effective until April 30, 2009	\$/kW	(0.3585)
Low Voltage Deferral Account Rate Rider – effective until April 30, 2009	\$/kW	0.8674
Retail Transmission Rate – Network Service Rate	\$/kW	2.3200
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	2.2000
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Erie Thames Powerlines Corp.

TARIFF OF RATES AND CHARGES

Effective May 1, 2008
Implementation December 1, 2008

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EB-2007-0928

Specific Service Charges

Customer Administration		
Arrears certificate	\$	15.00
Easement letter	\$	15.00
Credit reference/credit check (plus credit agency costs)	\$	15.00
Returned cheque charge (plus bank charges)	\$	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
Collection of account charge – no disconnection – after regular hours	\$	165.00
Disconnect/Reconnect at meter – during regular hours	\$	65.00
Disconnect/Reconnect at meter – after regular hours	\$	185.00
Disconnect/Reconnect at pole – during regular hours	\$	185.00
Temporary service install & remove – overhead – no transformer	\$	500.00
Temporary service install & remove – underground – no transformer	\$	300.00
Specific Charge for Access to the Power Poles \$/pole/year	\$	22.35
Allowances		
Transformer Allowance for Ownership - per kW of billing demand/month	\$	(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	1.0427
Total Loss Factor – Secondary Metered Customer > 5,000 kW	1.0145
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0322
Total Loss Factor – Primary Metered Customer > 5,000 kW	1.0045

TAB 11



65 Dundas St. E.
Paris, ON N3L 3H1
Toll Free: 1-877-871-2215
519-442-2215
Fax: 519-442-3701
www.brantcountypower.com

January 20, 2009

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Attention: Board Secretary

Re: Brantford 2009 IRM Application (EB-2008-0162)-Brant County Power Intervention

Brant County Power (BCP) is formally requesting Intervener status in the above noted application.

Brant County Power does understand that this request is very late in the application process; however issues outside BCP's control have led to this request.

If approved, BCP will not be submitting any interrogatories, however will be prepared to file submissions by February 2, 2009. As BCP is a LDC within the Province of Ontario, we will not be filing any cost claims relating to the above noted proceeding.

The nature of the intervention is related to the current level of charges being applied by Brantford Power for "Embedded Charges" relating to services provided to BCP. Due to the physical nature of the distribution system in the Brantford/Brant County areas, BCP is of the belief that the only services provided by Brantford Power are for wheeling charges, and it will be BCP's submission that the Embedded Charges are far above the level of cost to provide this service and in fact that BCP does not meet the description of an embedded distributor. The charges are a serious financial concern to BCP Management, Shareholders and Rate Payers.

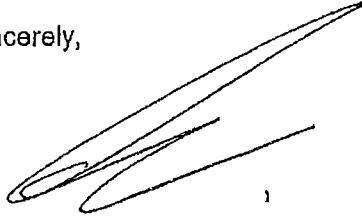
It is understood, that an IRM application is not the typical means to disputing these charges, however direction from the OEB's CCO Mr. Hewson (letter attached) suggested this path and the recent Hydro One application (EB-2008-0187) has dealt with similar issues relating to disputed charges.

For the Board's information, BCP is also submitting a motion to rehear the Brantford Power 2008 rate application and a formal submission will be submitted on this issue in the immediate future.

The filing of multiple letters (Intervention in 2009 IRM and Motion to Rehear 2008 decision) was discussed with Senior OEB Staff and it was suggested that both paths should be followed.

If you have any questions or concerns, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Noble', with a stylized flourish at the end.

Bruce Noble
Chief Executive Officer
Email bnoble@brantcountypower.com

Attachment

Ontario Energy
Board
P.O. Box 2319
2300 Yonge Street
27th. Floor
Toronto ON M4P 1E4
Telephone: (416) 481-1967
Facsimile: (416) 440-7656
Toll Free 1-888-632-6273

Commission de l'énergie
de l'Ontario
C.P. 2319
2300, rue Yonge
27e étage
Toronto ON M4P 1E4
Téléphone: (416) 481-1967
Télécopieur: (416) 440-7656
Numéro sans frais : 1-888-632-6273



By Email: bnoble@brantcountypower.com

Mr. Bruce Noble
Chief Executive Officer
Brant County Power
65 Dundas Street East
Paris ON N3L 3H1

Re: Brantford Power Inc. distribution charges

Dear Mr. Noble:

I am writing in response to your letter of November 14, 2008 in respect of the rates being charged to Brant County Power Inc. ("BCP") by Brantford Power Inc. ("BPI"). Specifically, BCP has raised issues regarding the distribution charges that BPI has been charging BCP as an embedded distributor since May 2008.

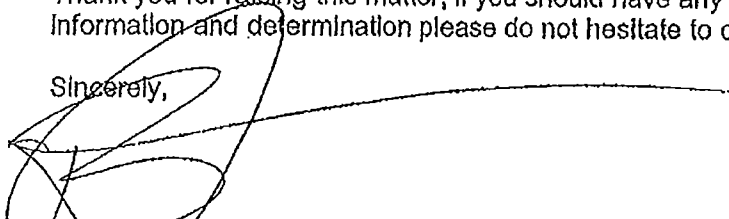
In its RB-2007-0698 Decision with Reasons, the Board approved BPI's request to charge its one embedded distributor using its >50 kW General Service rate schedule. In the November 14, 2008 letter, BCP set out the charges that it is being charged by BPI for the three feeders that deliver power from BPI's system to BCP. Based on a review of your correspondence, it appears that BPI is charging BCP, an embedded distributor in accordance with the Board's Decision using the rates approved by the Board in its EB-2007-0698 Rate Order. These charges appear to be the appropriate charges.

In regard to BCP's claim that it is not in fact an embedded distributor customer of BPI, as contemplated in the Board's decision, I do not believe the view is supported by the facts. BPI indicated in its rate application that it served an embedded distributor, BCP is the only licensed electricity distributor that BPI is providing service to.

As a result of our review, the Compliance Office does not see any matter of non-compliance to pursue. Therefore, we intend to close the compliance file. If BCP considers the rate that it is being charged to be unreasonable or inappropriate, BCP may, if the Board permits, make a submission in the current BPI rate proceeding.

Thank you for raising this matter. If you should have any questions regarding the above information and determination please do not hesitate to contact me at 416-440-7628.

Sincerely,



Brian Hewson
Chief Compliance Officer



65 Dundas St. E.
Paris, ON N3L 3H1
Toll Free: 1-877-871-2215
519-442-2215
Fax: 519-442-3701
www.brantcountypower.com

November 14, 2008

Brian Hewson
Compliance Office
Ontario Energy Board
PO Box 2319
2300 Yonge St. 27th Floor
Toronto, Ontario, M4P1E4

Re: Application of Brantford Power Inc. 2008 Tariff of Rates and Charges effective
Sept. 1, 2008 (and interim rate order dated May 1, 2008) – EB-2007-0698

Overview:

Commencing May 1, 2008, using an interim rate order and officially approved effective September 1, 2008, Brantford Power Inc. (BPI) began charging Brant County Power (BCP) distribution charges, using a General Service > 50 kW rate, on three feeder lines:

1. 1000009670 - Colbourne St. West
 - a. Distribution (fixed & variable)
 - b. Regulatory Asset Recovery
2. 1000006030 - Powerline Rd. MS2
 - a. Distribution (fixed & variable)
 - b. Regulatory Asset Recovery
 - c. Retail Transmission (Connection and Transmission)
3. 1000001320 - Colbourne St.
 - a. Distribution (fixed & variable)
 - b. Regulatory Asset Recovery

In the decision provided by the OEB, the General Service > 50 kW rate was granted temporary approval to be charged for both embedded distribution customers (in lieu of a specific embedded cost based rate) and for the large use class (in lieu of a specific large use cost based rate). The OEB stated in the decision, that this practice is not ideal, however, is also not unique and was approved until the time in which BPI applies for specific larger use classes (next rebasing). Charges to BCP on the three feeder lines identified above are estimated annually between \$500,000 \$650,000.

Compliance Issue:

While BCP does not agree with the current rates being charged to the three feeder lines identified above, a broader issue is the fact that BCP is not a distribution customer of BPI, neither as a General Service Customer nor as an Embedded Customer.

A review of physical connections (Appendix A), IESO totalization tables (Appendix B), Distribution System Code, BPI's Conditions of Service and June 2008 BPI invoices (appendix C) all lead to the conclusion that BCP is a Wholesale Market Participant (WMP) and not an Embedded Distributor, using the OEB's and BPI's definition.

The definition of an embedded distributor, pulled from the DSC is as follows (page 3 of DSC):

"embedded distributor" means a distributor who is not a wholesale market participant and that is provided electricity by a host distributor;

The Brantford Power Inc. Conditions of Service document filed as part of the 2008 Rate Proceeding (EB-2007-0698) section 3.7.3 – Billing states;

"Brantford Power Inc. shall settle non-competitive electricity services based on the rates approved by the Ontario Energy Board and by the requirements of the Retail Settlement Code."

As Wholesale Market, Retail Transmission (with the exception of Powerline Rd. MS2), RRA, DRC and Commodity are settled with the IESO or Hydro One directly and not by BPI, BCP submits that we are not considered an Embedded Distributor following BPI definitions and guidelines.

To follow the definition from the DSC above, if we review the BCP IESO Totalization Tables (appendix B) we see that the points in question are all contained as additives on the tables, and are therefore wholesale points metered directly by the IESO. Please see appendix A.

It is BCP's submission that the current rate approved for BPI, Embedded Distributor (General Service > 50 kW) should not be applied as BCP is not an Embedded Distributor.

If the OEB agrees that BCP is not a distribution customer of BPI; the regulatory asset recovery should also not apply. As BCP is and has always been a WMP, any charges relating to variances for WMS, Retail Transmission and other non-competitive charges have been settled via the IESO. Since BCP has not accumulated any of these charges, BCP should not be responsible for the recovery of these variances.

Solution:

While BCP understands that they are using a portion of the BPI distribution system, the usage is actually wheeling usage as compared to distribution usage.

BPI is not responsible for settling Commodity, WMS, RRA, DRC or RTR charges. BPI does not provide any retail metering services nor carrying charges relating to non-competitive charges. As a result the application of distribution charges are inappropriate and in excess of the actual cost of the distribution system usage and BPI employees time.

If BPI applied to the OEB for a cost based wheeling charge, BCP would be fully supportive of the request and approval of the cost based charge.

Recently a decision with respect to Low Voltage Wheeling charges was approved for Cambridge and North Dumfries Hydro (EB-2007-0900). The rates approved are summarized below:

- For application to Waterloo North - \$0.59 per kW per month
- For application to Hydro One Networks - \$0.55 per kW per month

Impact to Customers:

The following chart compares actual June 2008 charges levied by BPI to a wheeling charge estimated at (using EB-2007-0900 results for quantitative purposes) \$0.60 per kW.

<u>Meter Point</u>	<u>Demand</u>	<u>Actual June</u> <u>Charges</u>	<u>Estimated</u> <u>LV Rate</u>	<u>Proposed</u> <u>Charges</u>	<u>Difference</u>
Colbourne West	3,608	\$ 12,127.58	\$ 0.60	\$ 2,164.80	\$ 9,962.78
Colbourne	8,570	\$ 28,368.24	\$ 0.60	\$ 5,142.00	\$ 23,226.24
Powerline	1,857	\$ 13,642.58	\$ 0.60	\$ 1,114.20	\$ 12,528.38
Total (June 2008)		\$ 54,138.40		\$ 8,421.00	\$ 45,717.40

The above chart indicates that in June 2008 BCP is being overcharged by approximately 85% using distribution charges and the EB-2007-0900 results.

If we assume the annual charges of the current rate amount to a range of \$500,000 to \$650,000, the annual overbilled amount would represent \$425,000 to \$552,500.

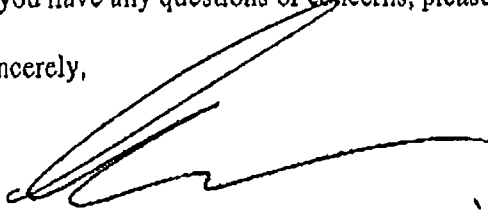
There are two separate accounting options for these charges. If we assume that the current charges from BPI are normal distribution expenses, then BCP and its shareholders are responsible for the incremental billings. If the assumption is made that these charges are LV related and should be placed into a variance account (i.e. 1550) then the utility is kept whole, however, ratepayers will be responsible for these charges upon disposition of variance accounts. Either method causes undue financial stress to the BCP community.

Requested Outcome:

It is BCP submission that effective immediately BPI be directed to cease billing BCP the distribution charges identified and rebate all charges levied upon the three lines in question.

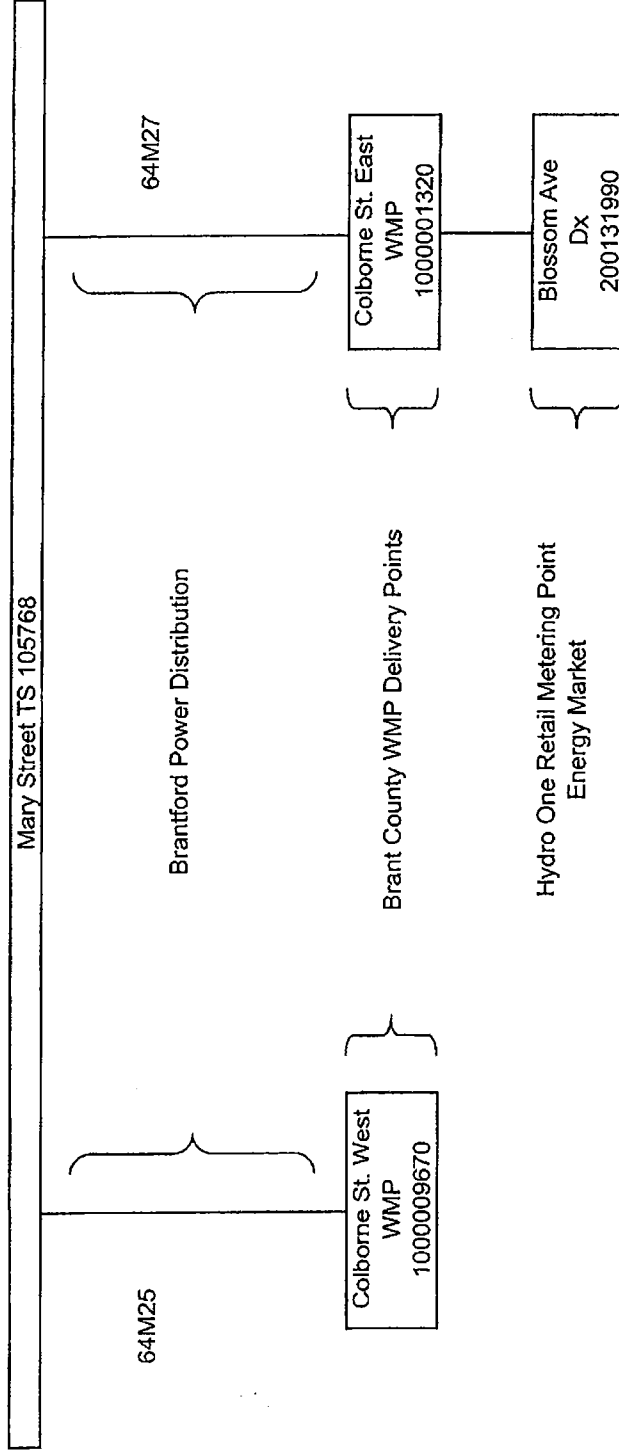
If you have any questions or concerns, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Noble', with a long horizontal stroke extending to the right.

Bruce Noble
Chief Executive Officer
Email: bnoble@brantcounrypwr.com
Ph: 519-442-2215

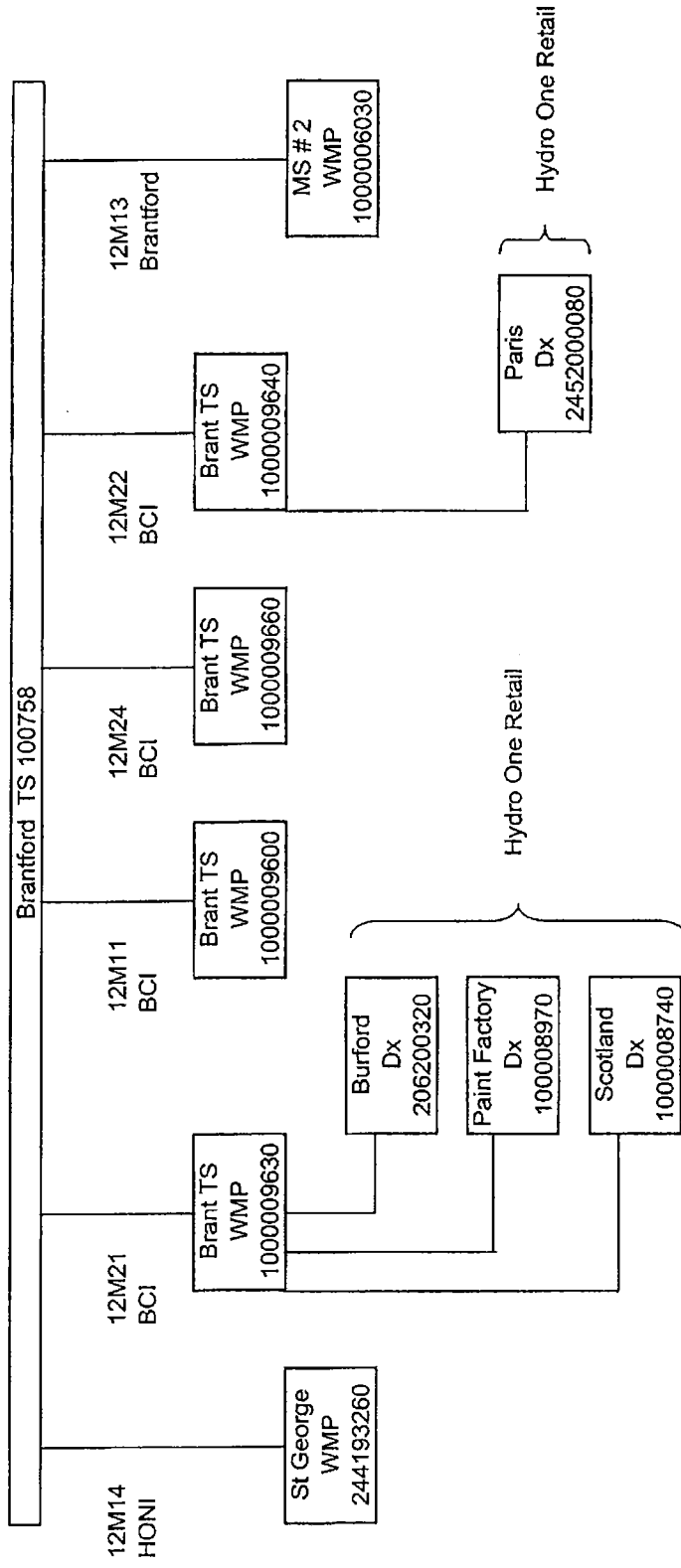
Appendix A1



NOTES

- 1 At the Mary Street TS on feeders 64M25 & 64M27, Brant County Power is a Wholesale Market Participant with Wholesale Delivery Points embedded in Brantford Power.
- 2 These metering points belong to Brant County Power.
- 3 Energy related charges are settled by the IESO.
- 4 Transmission charges are not settled at these Delivery Points; assumed to be settled upstream with Brantford Power.
- 5 Brantford Power is billing Brant County Power as an embedded distributor. Billing includes the volumetric distribution charge, regulatory charges, the fixed monthly service charge and GST at the GS > 50 kW rate.
- 6 At Blossom Ave., Hydro One has de-registered and Brant County Power is billing as GS > 50 kW rate for all line items including commodity

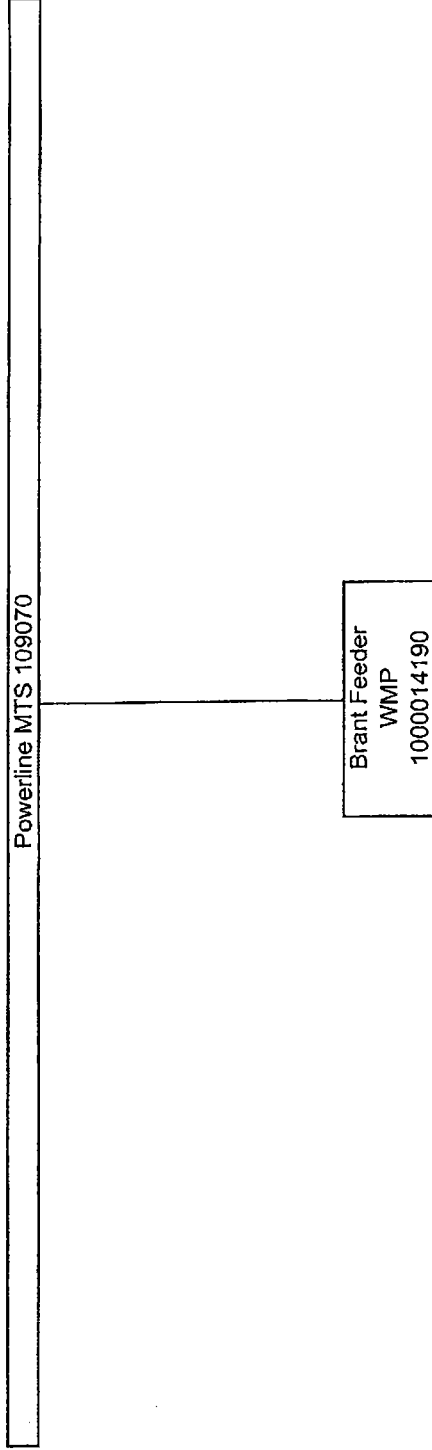
Appendix A2



NOTES

- 1 MS # 2 is a Brant County Power WMP Delivery Point embedded in Brantford Power distribution. Brantford Power bills Brant County Power as GS > 50 kW customer with exception of energy charges. Includes volumetric distribution, monthly service charge, retail transmission and regulatory charges. Credit is given for transformer ownership and primary metering.

Appendix A3



NOTES

- 1 This wholesale Market Participant delivery point is settled by the IESO.

MHP Name	Breeder Ratio		MHP Total Feedings
	MHP Feedings	Total Feedings	
MHP#1: Grant County Power Inc. (104230)	2 + 12		
MHP#2: Standard Power (102023)	5	8	
MHP#3: COW - Detail	1		

Standard Population: 100% of feeders ownership by MHP

Oxyhalide Endpoints		
K1	K2	K3
0.0038	-0.1374	187.56

A. ENERGY MARKET

[illegible]

B. TRANSMISSION TARIFF

Note 1: Station Service and SSlm (The former) equals 2/3 of total

ZK1, K2, K3 applies to the sum of M71 + M26

2. Metter O2244192710 was deprogrammed via Physio One

4: Motor 1000003790 was deprogrammed via Rodin

5-Chloro- 02062501XZ0,1000000970,10000008740 & 0245270080 converted in retail Market

[illegible]

	Master
MMPTT	Brand County Power Inc.
MMPTZ	

[illegible]

- Suffix by "N" or by "C" to specify if a network or a connection Delivery Point
- Hatched cells to be completed for meters used exclusively for Transmission Tariffs

Appendix C1

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST W	BCP DISTRIBUTION	82581-004	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$10,009.34
Payment \$10,009.34CR
Balance Forward \$0.00

Current Charges

Your Electricity Charges \$12,127.58
Delivery \$12,127.58
Total Electricity Charges \$12,127.58
GST #86585 8773 RT0001 \$606.30
Summary of Current Charges \$12,733.96
Balance Owning \$12,733.96✓

COMMUNITY MESSAGES

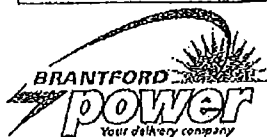
CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
FOR MORE DETAILS".

Date: July 22/08
Approved By: _____
Auth. To Pay By: _____
Payment Approved By: _____
Received By: _____

G/L# 4714 (154%) - 6548.89
4716 (46%) - 5578.69
2290.63
606.38

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity	3		30	1.0	0	1.037	0	4008.88	3571.00	3607.99	



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Brantford, Ontario N3T 6L6
TEL: (519) 756-1360 FAX: (519) 753-9884
e-mail address - customerservices@brantford.ca



www.brantfordpower.com

www.brantford.ca

ENERGY MANAGEMENT INFORMATION		
BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
		0.00

0	
0	
0	
0	
0	
0	
0	

Electric J A S O N D J F M A M J J

Months

See back for Glossary of Terms

Appendix C2

Session 3 - [74 x 80]									
File Edit View Communication Actions Window Help									
07/23/08 13:38:48 ELECTRIC Demand History by Account									
07/23/08 13:38:50 Consumption Statistic for Jul 2008									
BL000801									
BL5701M1									
Account Number 82681-004									
Name BRANT COUNTY POWER									
M Location 100-008710									
COLBORNE ST W									
U Mtr									
G Sv RSP Rate Chgd Seq Block Chg Size Use Amount Ad									
G BCD BCPDIS 362 2.4318000 3607.99 8354.31									
1 BCD BCPREG 364 .7912000 3607.99 2854.64									
1 BCD BCPFIX 363 .0000000 .00 318.63									
1 GSTPMR 900 .0500000 .00 606.38									
F1=Statistics									
F12=Previous									
Bottom									

Appendix C3

Service Address	Account Type	Account Number	Billing Period	Statement Date
POWERLINE RD MS2	BCP TRANSMISSION	02601-003	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$11,950.96
Payment \$11,950.96CR
Balance Forward \$0.00

Current Charges

Your Electricity Charges \$13,642.58
Delivery \$13,642.58
Total Electricity Charges \$682.13
GST #86585 8773 RT0001 \$14,324.71
Summary of Current Charges \$14,324.71
Balance Owning

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A COOL \$25.
GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
FOR MORE DETAILS".

Date: July 22/08

Approved By: _____

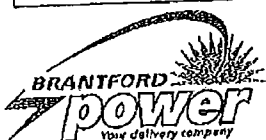
Auth. To Pay By: _____

Payment Approved By: _____

Received By: _____

G/L# 4714 (54%) - 7,366.99
4716 (46%) - 6,275.59
2290.63 - 682.13

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	Kw	Demand Billed	Meter Size
Electricity 2			30	1.0	0	1.037	0	2063.44	1846.00	1857.10	



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e-mail address - customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
Jul2007	0	0.00

0	
0	
0	
0	
0	
0	
0	

Electric J A S O N D J F M A M J J

Months

See back for Glossary of Terms

Appendix C4

Session 4: 124 x 801									
File Edit View Communication Actions Window Help									
07/23/08 13:37:56 ELECTRIC Demand History by Account									
07/23/08 13:37:58 Consumption Statistic for Jul 2008									
BL000801									
BL5701M1									
Account Number 82661-003									
Name BRANT COUNTY POWER									
Location 024-4121660									
POWERLINE RD									
Mtr									
Rate BCP									
SV RSP Rate Chgid Seq Block Chg Size Use Amount Ad									
0	1	BCP	BCPTNK	511	2.1137000	1857.10	3925.35		
0	1	BCP	BCPDIS	362	2.4818000	1857.10	4608.95		
0	1	BCP	BCPREG	364	.7912000	1857.10	1469.34		
0	1	BCP	BCPFIK	363	.0000000	.00	319.63		
0	1	GSTPWR		906	.0500000	.00	682.13		
Bottom									
F12=Previous									
F1=Statistics									

Appendix C5

Service Address	Account Type	Account Number	Billing Period	Statement Date
COLBORNE ST	BCP DISTRIBUTION	82681-005	06/01/08 to 07/01/08	Jul 16, 2008

IMPORTANT MESSAGES REGARDING YOUR ACCOUNT

Prior Charges \$32,241.27
 Payment \$32,241.27CR
 Balance Forward \$0.00

Current Charges

Your Electricity Charges \$28,368.24
 Delivery \$28,368.24
 Total Electricity Charges \$1,418.41
 GST #06585 8773 RT0001 \$29,786.65
 Summary of Current Charges \$29,786.65
 Balance Owning

COMMUNITY MESSAGES

CONSERVATION MESSAGES

"SIGN UP FOR PEAKSAVER AND RECEIVE A CASH \$25.
 GO TO BP.POWERSTAR.CA OR CALL 519-756-1360
 FOR MORE DETAILS".

Date: July 22/08

Approved By: _____

Auth. To Pay By: _____

Payment Approved By: _____

Received By: _____

CU # 4714(54%) 15,318.85
4716(46%) 13,049.39
2290.63 1,418.41

Meter Number	Present Reading 07/01/08	Previous Reading 06/01/08	No. of Days	Mult.	Usage kWh/m3	Adjustment Factor	Adjusted Usage kWh	kva	KW	Demand Billed	Meter Size
Electricity 4			30	1.0	0	1.037	0	9023.65	8570.00	8570.00	



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 e-mail address: customerservices@brantford.ca



www.brantford.ca

ENERGY MANAGEMENT INFORMATION

BILL DATE	CONSUMPTION KWH	AVERAGE KWH/DAY
Jul2008	0	0.00
		0.00

kWh

Electric JASON D J F M A M J J

Months

See back for Glossary of Terms

Appendix C6

Session 1: 124 x 80

File

Get

New

Communication

Actions

Window

Help

07/23/08 13:39:07 ELECTRIC Demand History by Account

07/23/08 13:39:10 Consumption Statistic for Jul 2008

BL000060

BL570141

Account Number 82881-065

Name BRANT COUNTY POWER

Location 100-013320

COLBORNE ST

Rate BCD

Mtr

Seq

Block Chg

Size

Use

Amount Ad

0 : SV RSP Rate ChgID Seq Block Chg Size Use Amount Ad

0 : 1 BCD BCPDIS 362 2.4818000 8570.00 21269.03

1 1 BCD BCPREG 364 .7912000 8570.00 6780.58

1 1 BCD BCPFIX 363 .0000000 .00 318.63

1 1 GSTPWR 300 .0500000 .00 1418.41

F1=Statistics

F12=Previous

Bottom

10/Ann

**Brant County
Embedded Distribution / Low Voltage Charges
from Brantford Power**

September 17, 2008

Background:

On July 18, 2008 the Ontario Energy Board (OEB) approved a rebasing rate application brought forward by Brantford Power Inc. (BPI). Part of this decision was the approval of the use of the General Service > 50 kW rate for both Brant County Power (BCP), as an embedded customer, and a Large Use customer. The "Board Findings" excerpt from this section of the decision is quoted below (source Brantford Power Inc 2008 Rebasing Decision EB-2007-0698).

http://www.oeb.gov.on.ca/OEB/Documents/2008EDR/dec_Brantford_20080718.pdf

"The Board accepts as reasonable the Company's proposal to defer the rate classification matter for the time of its next rebasing application. The Board notes that the issue of rates for embedded distributors is in the scope of a study currently underway at the Board (EB-2007-0031), the Rate Design study. The Board expects Brantford to keep itself informed as to potential developments through that process."

The 2008 rates were approved on an interim basis effective April 21, 2008 and on a permanent basis effective September 1, 2008.

The issue at hand is two fold:

1. What impact does the OEB decision have on the profitability and cash flow of BCP?
2. What is the impact to BCP ratepayers?

Validity & Appropriateness of Charges:

As discussed via phone conversations with BCP executives, RDI is of the belief that this rate is inappropriate (from a cost causality perspective) and is not 'just and reasonable'.

It was requested that RDI provide a written position on the rates and we have stated our opinion. Rational and reasons for this opinion are included in the sections of this report that follow.

Probability a Successful Application:

The issue of the "appropriate rate to be charged by Brantford" is not the key issues to consider. The OEB in the BPI decision, please see excerpt (pg. 16 of BPI decision), indicates that this rate is not appropriate; however the inappropriate practice of using a GS > 50 kW rate for an embedded LDC is not unusual.

"Rate Classes

The Company is a host to one embedded distributor, Brant County Power, and also serves one large customer with demand greater than 5000 kW.

Board staff noted that the Company did not propose separate rate classifications for these loads; rather, they are being served within the GS>50 kW rate class.

With respect to the large customer, the Company noted that the customer is new in this size range and the Company did not want to jeopardize the timing of its application for 2008 rates by designing and implementing a new rate class. The Company proposed that it would undertake a cost allocation study to support the establishment of a large user rate class for its next rate rebasing.

With respect to the embedded distributor, Brantford clarified in response to an interrogatory that it intends to begin billing the embedded distributor in the 2008 rate year, and will do so by using the GS>50 kW rate classification. Board staff submitted that host distributors should be proposing a rate for embedded distributors, but noted that the practice of using the General Service rate is not unusual.

Board Findings

The Board accepts as reasonable the Company's proposal to defer the rate classification matter for the time of its next rebasing application. The Board notes that the issue of rates for embedded distributors is in the scope of a study currently underway at the Board (EB-2007-0031), the Rate Design study. The Board expects Brantford to keep itself informed as to potential developments through that process."

In order to change or amend the BPI rate decision, BCP would be asking an OEB Board Panel to review and change the decision of another Board Panel. Although this is not an unprecedented request and Board Panels have amended decisions in the past, a strong argument and application must be put towards the Board.

If we attempt to put our selves in the regulators shoes, we would be asking a Board Panel to review a previous decision and the result would be to force BPI to undertake a cost allocation study that includes the new Large Use and Embedded customer classes. This would result in a fairly large cost to BPI from both a dollar and effort perspective.

Historically, some OEB panels have looked at the overall societal cost for such an application. It is RDI's estimation that the cost of the hearings, BPI cost allocation study (including a new load study) and preparation of a new rate application would outweigh the net savings to BCP customers and BCP itself. This may be a key decision factor in the success of any application put before the OEB.

Another hurdle is the fact that all applications are open to public debate and both BCP and BCP customers had a chance to intervene in the BPI rate application; this avenue was not utilized or not utilized to the fullest extent possible. This statement is not condemning the actions or in-action of BCP, however, this is another theme that past panels have considered when dealing with similar applications.

With respect to timing (if an application is put before the Board), the OEB could take up to a year or more to render a final decision. This long delay would be due to many factors including:

- An anticipated oral hearing (3 – 4 months minimum)
- After the panel renders a decision, BPI still needs to reproduce the application and cost allocation studies (6 – 9 months)
- BPI rate hearing (5-7 months) including other intervener involvement (VECC, SEC, etc...) as any decrease to BCP rates will increase other BPI distribution charges

Along with the long delay in approval, there would be significant cost to BCP for both consulting and legal services. Oral hearings tend to involve lawyers for the applicant (BCP) and the defendant (BPI) as well as all registered interveners. It is also worth noting that either BCP or BPI or a combination of both would be responsible for the cost of the intervener involvement, including lawyer's fees, consultant fees and other preparation costs incurred by the interveners.

RDI has had off-record conversations with Board Staff on this issue and they agree with the comments above. It is also important to note that the OEB currently has initiated a study (EB-2007-0031) relating to embedded distributor costs.

*The Board staff member consulted thought that an application to vary the BPI decision should be the option of last resort.

Future Steps:

As stated in an earlier briefing paper produced by RDI and presented to BCP's Board of Directors, as long as current accounting treatments are continued, there is no impact to the profitability or bottom-line of BCP; however, there is both impacts to BCP cash-flows and to BCP ratepayers.

Cash-flow Impact

As the increased cost of BPI's embedded charges are not currently approved in BCP's retail transmission rates the annual cost will flow directly to the RSVA accounts 1584 & 1586 (Network and Connection variance accounts). The impacts identified in the earlier RDI report estimated an annual cash-flow impact of \$660,000. This can be funded in a multitude of ways all of which will be revenue neutral as the applicable variance accounts are improved with interest.

Working Capital?

BCP can choose to fund these costs directly from operating revenue (reducing cash available for other maintenance and operating expense or shareholder dividends) or by increasing the debt load and borrowing from 3rd party lenders (interest charges recovered through the interest improvement of the variance accounts).

Customer Impacts

If the rates applied by BPI are not adjusted the approximated annual cost of \$660,000 will be funded by BCP customers each and every year until BPI rebases and received approval for a new embedded customer class.

Brant County Power Options

Other than a hearing to vary BPI rate decision, BCP has other options at your disposal, all of which will require some level of OEB involvement.

BCP can raise a compliance issue with respect to the implementation of the BPI rate decision. As BCP is not a typical customer of BPI (large usage, different cost drivers, etc...) it can be argued that BPI is not compliant with either their Conditions of Service and/or the class definitions contained within the actual rate order. If the compliance office warranted this topic to be investigated, it may force this issue to be resolved sooner rather than later. It is worth noting that BCP is not the only LDC in this situation. This avenue does not guarantee any activity or change in the current application of BPI rate order.

Another avenue discussed with Board Staff is to track the difference between actual charges and the embedded class charges, when approved, in a variance account. Upon disposition, if material and if approved by the OEB, the balance would be collected from BPI directly. This would essentially reduce the dollars paid by BCP customers to the actual level that should have been charged since inception of this rate. BPI will also be held harmless under this scenario.

An application to the OEB to set-up a new variance account would need to be filed to ensure this option is acceptable to the regulator.

There is risk to this approach, as RDI and Board Staff are not aware of this treatment neither being approved nor applied for, however, from a cost causality perspective this seems like a logical approach. If this avenue is selected by BCP, RDI suggests notifying the OEB and BPI of this plan immediately and requesting an order allowing for this treatment. This allows for the Board to provide any guidance they see fit and notifies BPI that they need to consider this charge when scheduling and applying for new distribution rates.

Recommendations:

RDI recommends, continuing with the current accounting practice utilized by BCP that allows the costs associated with the embedded charges from BPI to be tracked through the RSVA (1584 & 1586) isolating BCP profitability from this increased cost. A request for an accounting order either approving the current accounting treatment or alternatively tracking these charges in either the 1550 Low Voltage variance account or the newly requested variance account needs to be filed with the OEB. This ensures that the current accounting treatment is acceptable the OEB and there will not be an unexpected disallowance upon disposition of variance accounts, which would negatively effect the bottom line profitability of BCP.

Secondly, in order to hold BCP customers harmless notify and request approval, from the OEB, of the plan to recover the difference between current charges (charged by BPI) and the eventually approved embedded charges directly from BPI.

This ensures that BCP customers pay the appropriate cost for the service provided by BPI and ensures that both LDCs are held harmless.

Sincerely,

Ian McKenzie
Senior Business & Regulatory Analyst
RDI Consulting Inc.
200-295 Wolfe St.
London, ON
N6B 2C4
Ph: 519-433-6002
Email: imckenzie@rdiconsulting.ca

TAB 12



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Fax: 519-442-3701
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February 2, 2009

Board Secretary
Ontario Energy Board
PO Box 2319
2300 Yonge St. 27th Floor
Toronto, Ontario, M4P1E4

**Re: Brantford 2009 IRM Application (EB-2008-0162) – Brant County Power
Submission**

Brant County Power's (BCP) objection to the Brantford Power's (BP) 2009 IRM application is with respect to the level of cost currently included in the starting rates contained within the IRM model, approved as part of the 2008 Cost of Service Application (EB-2007-0698).

Commencing May 1, 2008, BP began charging BCP its new rates on an interim basis pursuant to the OEB's order. This new interim rate was subsequently approved on August 29, 2008. Prior to the implementation of these rates, BCP was not paying for this service and as a result an increase of several hundreds of thousands of dollars of expenses are now being transferred to BCP customers, when, nothing has changed from the physical supply channel.

BP is entitled to its reasonable costs but the costs being charged to BCP are unconscionably high given the service provided.

Historical Information

As indicated in the intervention application, BCP has previously filed a compliance complaint with respect to the application of rates. The Compliance Officer has indicated that this is a rates issue and not a compliance issue. Please note, the original compliance letter (Appendix A) and the OEB response (Appendix B) have been included in this submission.

Along with the correspondence attached, BCP has had various discussions with various departments of the OEB and different levels of Board Staff. It was suggested to file an intervention in the 2009 IRM application of BP (this letter) and file a motion to rehear the 2008 application (EB-2007-0698). The merits of the motion to rehear will be contained in the motion itself; however, the main source of contention is the fact that appropriate and necessary notice of the 2008 application was not given to BCP as per Procedural Order 1 attached to this application as Appendix C. Therefore, BCP did not have the opportunity to consider and comment at that time.

The basis of the complaint is due to the level of charges currently being applied to BCP as an "Embedded Distributor". As discussed in the original compliance application BCP does not fit the definition of an "Embedded Distributor", but does receive service from BP. BCP's view is that this is "Wheeling" service and submits that the rate should be more in line with precedence setting decisions similar to that of EB-2007-0900 – Cambridge and North Dumfries Hydro Inc. that approves, on an interim basis, two separate "Distribution Wheeling" charges.

Customer Impact

The following chart compares actual June 2008 charges levied by BP to a wheeling charge estimated at \$0.60 per kW.

<u>Meter Point</u>	<u>Demand</u>	<u>Actual June</u> <u>Charges</u>	<u>LV</u> <u>Rate*</u>	<u>Charges for</u> <u>Comparison</u>	<u>Difference</u>
Colbourne West	3,608	\$ 12,127.58	\$ 0.60	\$ 2,164.80	\$ 9,962.78
Colbourne	8,570	\$ 28,368.24	\$ 0.60	\$ 5,142.00	\$ 23,226.24
Powerline	1,857	\$ 13,642.58	\$ 0.60	\$ 1,114.20	\$ 12,528.38
Total (June 2008)		\$ 54,138.40		\$ 8,421.00	\$ 45,717.40

* - BCP is using the current LV Wheeling rate as a proxy for comparison purposes only

The above chart indicates that in June 2008 BCP is being overcharged by approximately 85%.

If we assume the annual charges of the current rate amount to a range of \$500,000 to \$650,000 ($12 * \$54,138.40 = \$650,000$), the annual overbilled amount would represent \$425,000 to \$552,500.

The current accounting treatment utilized by BCP is to track these costs as expenses and to transfer the increased costs to a variance account. Assuming a 4 year regulatory cycle, the over billing accumulated in variance accounts is estimated at \$1,700,000 to \$2,210,000. Assuming a 4-year recovery period, the annual incremental regulatory asset recovery is between \$425,000 and \$552,500.

Comparing this to the 2006 Distribution Revenue of BCP (\$5.7 million) we see an annual impact up to 9.7%. This increase excludes all other impacts (smart meters, K-Factor and other rebasing activities) that will accompany a Cost of Service rate application. BCP does not have access to actual costing and can not accurately estimate the appropriate cost based rate and therefore have used the \$0.60 per kW for illustrative purposes only. Please note, in neighboring jurisdictions the OEB Board has considered Distribution Wheeling charges that have been approved as low as \$0.08 per kW (EB-2007-0900).

BCP is concerned about the effect this increase will have upon its Cost of Service application. The increased costs will force BCP to consider rate mitigation in order to minimize the net impact to ratepayers.

Along with this variance account impact, BCP customers would also be responsible for an increased return value for BCP, resulting from a higher working capital portion of Rate Base. This value is not material and represents less than a 1% impact, however is worth noting.

BCP submits that this level of impact is not acceptable to its end use rate payers without a proper cost study.

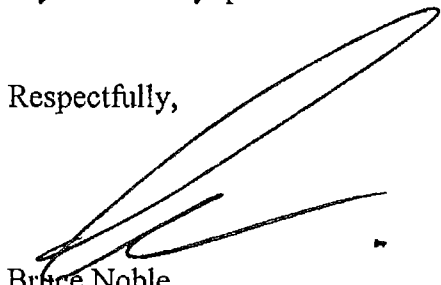
Solution

It is BCP's submission that BP be ordered to forthwith develop a cost based proposal for a distribution wheeling charge, as utilized in EB-2007-0900. If the OEB decides to proceed with the above recommendation, BCP requests an accounting order to approve the tracking of these costs in a variance account.

Forcing BCP customers to incur the level of cost identified above over the next 4 years without a full costing study is not a fair practice and results in both unjust and unreasonable rates.

If you have any questions or concerns, please contact me directly.

Respectfully,

A handwritten signature in black ink, appearing to read 'Bruce Noble', is written over the 'Respectfully,' text.

Bruce Noble
Chief Executive Officer
Email: bnoble@brantcountypower.com
Ph: 519-442-2215

Appendix A

Brant County compliance application – Nov. 14, 2008

TAB 13



EB-2007-0510

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 Brantford
Power Inc. for an order or orders approving or fixing just
and reasonable distribution rates and other charges, to
be effective May 1, 2007.

BEFORE: Paul Sommerville
Presiding Member

Paul Vlahos
Member

Ken Quesnelle
Member

DECISION AND ORDER

Brantford Power Inc. ("Brantford") is a licensed distributor providing electrical service to consumers within its licensed service area. Brantford filed an application with the Ontario Energy Board (the "Board") for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2007.

Brantford is one of 85 electricity distributors in Ontario that are regulated by the Board. To streamline the process for the approval of distribution rates and charges for these distributors, the Board issued its *Report of the Board on Cost of Capital and 2nd Generation Incentive Regulation for Ontario's Electricity Distributors* (the "Report") on December 20, 2006. The Report contained the relevant guidelines for 2007 rate adjustments ("the guidelines") for distributors applying for rates only on the basis of the

cost of capital and 2nd generation incentive regulation mechanism policies set out in the Report.

Public notice of Brantford's rate application was given through newspaper publication in Brantford's service area. The evidence filed as part of the rate application was made available to the public. The Board granted intervenor status to the Schools Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC"). Both Brantford and the intervenors had the opportunity to file written submissions in relation to the rate application. The Board received written submissions from SEC, VECC and Board staff. While the Board has considered the entire record in this rate application, it has made reference only to such evidence and submissions as is necessary to provide context to its findings.

Brantford's rate application was filed on the basis of the guidelines. In fixing new rates and charges for Brantford, the Board has applied the policies described in the Report.

After confirming the accuracy of the 2006 rate tariff and accompanying materials submitted in the rate application, the Board applied its approved price cap index adjustment to distribution rates (fixed and variable) uniformly across all customer classes. The price cap index is calculated as a price escalator less an X-factor of 1.0%, intended to represent input price and productivity trends. Based on the final 2006 data published by Statistics Canada, the Board has established the price escalator to be 1.9%. The resulting price cap index adjustment is therefore 0.9%.

The 2006-approved Conservation and Demand Management funding component that was included in 2006 rates was removed prior to the application of the price cap index adjustment.

The price cap index adjustment was not applied to the following components of the rates:

- the specific service charges;
- the regulatory asset recovery rate rider; and
- the smart meter rate adder (an amount in the fixed components of the rates associated with smart meter cost recovery).

Brantford requested an amount for smart meter costs. The Board has approved an amount of \$0.28 per month per metered customer. Brantford's variance accounts for smart meter program implementation costs, previously authorized by the Board, are continued. It is the Board's understanding that Brantford will not be undertaking any smart metering activity (i.e. discretionary metering activity) in 2007. The amount collected through the smart meter rate adder will be booked into the existing variance accounts, and retained in those accounts, to help fund future smart meter activity. As the notice of this application indicated, the Board will be holding a combined proceeding to consider, among other things, appropriate recovery of smart meter costs.

Brantford's standby rates were approved as interim by the Board in its 2006 distribution rates order. The Board is still examining the issues related to standby rates, and is not in a position to make a final order for these rates at this time. The standby rates will be adjusted by the price cap index but remain interim.

In its application amended February 19, 2007, Brantford requested approval of a deferral account in which Brantford would track revenue and cost impacts in 2007 that would typically result from including new capital investments in rate base, related to a voltage conversion project. The 2007 capital project is the final stage of a voltage conversion project started in 1993 that Brantford undertook to improve system efficiency, reliability and quality in its distribution network.

SEC, VECC and Board staff all filed submissions on April 13, 2007 addressing the deferral account request. In its reply submission filed on April 24, 2007, Brantford withdrew the deferral account request and asked that the Board approve Brantford's application for 2007 distribution rates and charges for implementation as soon as possible.

The Board accepts Brantford's withdrawal of the deferral account request and will approve 2007 rates and charges.

The Board has made the necessary adjustments to Brantford's filed 2006 Tariff of Rates and Charges to produce a new Tariff of Rates and Charges to be effective May 1, 2007. The Board finds the rates and charges in the Tariff of Rates and Charges attached as Appendix A to this decision to be just and reasonable.

Cost Awards

SEC and VECC requested and were granted cost eligibility in this rate application. Parties who were granted cost eligibility shall submit their cost claims by May 11, 2007. A copy of the cost claim must be filed with the Board and one copy is to be served on Brantford. The cost claims must be done in accordance with section 10 of the Board's Practice Direction on Cost Awards.

Brantford will have until May 25, 2007 to object to any aspects of the costs claimed. A copy of the objection must be filed with the Board and one copy must be served on the party against whose claim the objection is being made.

The party whose cost claim was objected to will have until June 1, 2007 to make a reply submission as to why its cost claim should be allowed. Again, a copy of the submission must be filed with the Board and one copy is to be served on Brantford.

THE BOARD ORDERS THAT:

1. The Tariff of Rates and Charges set out in Appendix A of this order is approved, effective May 1, 2007, for electricity consumed or estimated to have been consumed on and after May 1, 2007.
2. The Tariff of Rates and Charges set out in Appendix A of this order supersedes all previous distribution rate schedules approved by the Ontario Energy Board for Brantford, and is final in all respects, except for the standby rates which are approved as interim.
3. Brantford shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, April 30, 2007.

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary

Appendix A

EB-2007-0510

April 30, 2007

ONTARIO ENERGY BOARD

Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2007

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

EB-2007-0510

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).

EFFECTIVE DATES

DISTRIBUTION RATES - May 1, 2007 for all consumption or deemed consumption services used on or after that date.

SPECIFIC SERVICE CHARGES - May 1, 2007 for all charges incurred by customers on or after that date.

LOSS FACTOR ADJUSTMENT - May 1, 2007 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 section 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.

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 applies to a non residential account whose average monthly maximum demand used for billing purposes is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 5,000 kW.

Unmetered Scattered Load

This classification refers to an 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 and the consumption is unmetered. Such connections include cable TV power packs, bus shelters, telephone boots, traffic lights, railway crossings, etc. The customer will provide detailed manufacturer information/documentation with regard to electrical demand/consumption of the proposed unmetered load.

Standby Power

This classification refers to an account that has Load Displacement Generation and requires the distributor to provide back-up service.

Sentinel Lighting

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

Street Lighting

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

Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2007

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

EB-2007-0510

MONTHLY RATES AND CHARGES

Residential

Service Charge	\$	11.78
Distribution Volumetric Rate	\$/kWh	0.0139
Regulatory Asset Recovery	\$/kWh	0.0040
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0069
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0059
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	25.03
Distribution Volumetric Rate	\$/kWh	0.0065
Regulatory Asset Recovery	\$/kWh	0.0023
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0062
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0052
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 50 to 4,999 kW

Service Charge	\$	318.91
Distribution Volumetric Rate	\$/kW	2.4818
Regulatory Asset Recovery	\$/kW	0.7912
Retail Transmission Rate – Network Service Rate	\$/kW	2.1137
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.7879
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Unmetered Scattered Load

Service Charge (per connection)	\$	12.37
Distribution Volumetric Rate	\$/kWh	0.0074
Regulatory Asset Recovery	\$/kWh	0.0050
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0062
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0052
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Standby Power – APPROVED ON AN INTERIM BASIS

Standby Charge – for a month where standby power is not provided. The charge is applied to the contracted amount (e.g. nameplate rating of generation facility).	\$/kW	1.7153
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Brantford Power Inc.

TARIFF OF RATES AND CHARGES

Effective May 1, 2007

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

EB-2007-0510

Sentinel Lighting

Service Charge (per connection)	\$	0.31
Distribution Volumetric Rate	\$/kW	1.4833
Regulatory Asset Recovery	\$/kW	3.2065
Retail Transmission Rate – Network Service Rate	\$/kW	1.9740
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.6698
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Street Lighting

Service Charge (per connection)	\$	0.30
Distribution Volumetric Rate	\$/kW	1.5002
Regulatory Asset Recovery	\$/kW	(0.0518)
Retail Transmission Rate – Network Service Rate	\$/kW	1.9512
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.6505
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Specific Service Charges

Customer Administration		
Arrears certificate	\$	15.00
Easement letter	\$	15.00
Credit reference/credit check (plus credit agency costs)	\$	15.00
Returned cheque charge (plus bank charges)	\$	15.00
Account set up charge/change of occupancy charge (plus credit agency costs if applicable)	\$	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 charge - At Meter – during regular hours	\$	65.00
Disconnect/Reconnect charge - At Meter – after regular hours	\$	185.00
Disconnect/Reconnect charge - At Pole - during regular hours	\$	185.00
Disconnect/Reconnect charge - At Pole - after regular hours	\$	415.00
Install/Remove load control device - during regular hours	\$	65.00
Temporary Service – Install & remove – overhead – no transformer	\$	500.00
Temporary Service – Install & remove – underground – no transformer	\$	300.00
Temporary Service – Install & remove – overhead – with transformer	\$	1000.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35
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)

LOSS FACTORS

Total Loss Factor – Secondary Metered Customer < 5,000 kW	1.0370
Total Loss Factor – Secondary Metered Customer > 5,000 kW	N/A
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0267
Total Loss Factor – Primary Metered Customer > 5,000 kW	N/A