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January 29, 2010

VIA E-MAIL/RESS

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor; 2300 Yonge Street
Toronto, ON M4P 1E4

Dear Ms. Walli

**Re: EB-2009-0238 Norfolk Power Distribution Inc. 2010 Rates
Submission of Vulnerable Energy Consumers Coalition (VECC)**

Please find enclosed VECCs Submission on NPDI's LRAM/SSM claim.

Yours truly,

Original signed

Michael Buonaguro
Counsel for VECC

EB-2009-0238 Norfolk Power Distribution Inc. LRAM /SSM Claim

VECC Submission

Background

VECC filed interrogatories regarding the appropriate input assumptions used by KWHI and its consultants for both the third tranche and OPA programs. The third-party review of the LRAM and SSM calculations was provided in Exhibit 1, Appendix 4 -EnerSpectrum Report.

On November 10, 2009, an update from the OPA regarding NPDI's Conservation Program Results was received by NPDI. Also corrections were made by NPDI to the SSM amounts as a result of necessary changes to correct mistakes noted in the Interrogatory Response process.

NPDI then filed an updated Managers Summary on January 08, 2010, incorporating an updated LRAM/SSM claim.

NPDI is seeking a revised LRAM and SSM recovery of \$269,263 (\$175,997 for LRAM and \$83,111 for SSM, including carrying charges):

Norfolk Power Distribution Inc
EB-2009-0238
Appendix A
LRAM/ SSM Recovery
Revised Tables and Appendices

Table 3: LRAM/SSM Amounts and Rate Riders by Class

Customer Class	LRAM	Carrying Charges	SSM	Total	Unit	2008 Actual Billed kWh / kW	Rate Rider \$ / unit (kWh or kW)
Residential	\$159,717	\$9,270	\$17,300	\$186,287	kWh	140,646,761	0.001325
GS < 50 kW	1,394	81	374	1,848	kWh	63,049,737	0.000029
GS > 50 kW	14,886	864	65,438	81,188	kW	361,081	0.224846
Total	\$175,997	\$10,215	\$83,111	\$269,323			

VECC Submission

LRAM Claim

VECC has reviewed the amended LRAM claim for Third Tranche CDM as filed in the Updated Managers Summary. VECC accepts, for LRAM purposes, the revised Kwh savings and LRAM amount.

VECC also accepts, for LRAM purposes, the 2005-2009 November 10, 2009 OPA verification of OPA-funded CDM programs.

However, VECC notes that the OPA made changes to certain mass market measure input assumptions under the Every Kilowatt Counts campaigns between 2006 and 2007. This produces significantly inflated OPA results and LRAM claims for 2006 Every Kilowatt Counts Mass Market CDM programs.

SSM Claim

In VECC's submission, NPDI has not provided adequate evidence supporting its revised SSM claim.

It is submitted that faced with this situation the Board can either

- i) require full support to be filed with the Reply Submission or Draft rate order and have Board Staff verify the claim: or
- ii) deny the request for SSM recovery, and require NPDI to re-file the SSM claim, with proper evidentiary support, in their next rate case.