



EB-2010-0069

**NOTICE OF APPLICATION AND HEARING FOR AN
ELECTRICITY DISTRIBUTION RATE CHANGE**

Canadian Niagara Power Inc. - Port Colborne

Canadian Niagara Power Inc. - Port Colborne ("CNPI - PC") filed an application with the Ontario Energy Board (the "Board") on November 8, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B), seeking approval for changes to the rates that CNPI - PC charges for electricity distribution, to be effective May 1, 2011. The application was filed under the Board's guidelines for 3rd Generation Incentive Regulation, which provides for a mechanistic and formulaic adjustment to distribution rates between cost of service applications. The Board has assigned the application File No. EB-2010-0069. The Board's decision on this application may have an effect on all of CNPI - PC's customers.

Any change to CNPI - PC's distribution rates will cause CNPI - PC's delivery charges to change. Delivery charges are one of four regular items on residential and general service customers' electric bills and vary depending on the amount of electricity consumed.

CNPI - PC indicates that if the application is approved as filed, residential customers consuming 800 kWh per month would experience an approximate 8.7% decrease in their current delivery charges. This is a \$4.76 per month decrease on their total bill. General Service customers consuming 2,000 kWh per month and having a monthly demand of less than 50 kW would experience an approximate 10.5% decrease in their current delivery charges. This is a \$10.81 per month decrease on their total bill.

The proposed changes to the delivery component of the bill are separate from other potential changes to the electricity bills, which could include changes to the electricity component and other charges included on the bill. This application deals only with the

potential change in the delivery component of the bill that may result from changes in the delivery rates.

How to see CNPI - PC's Application

Copies of the application are available for inspection at the Board's office in Toronto and on its website, www.oeb.gov.on.ca/OEB/Industry, and at CNPI - PC's office and may be on its website.

Written Hearing

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant no later than **December 20, 2010**.

How to Participate

You may participate in this proceeding in one of two ways:

1. Become an Intervenor

Intervenors participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at an oral hearing).

A request for intervenor status must be made by letter of intervention and be received by the Board no later than **December 20, 2010**. A letter of intervention must include: (a) a description of how you are, or may be, affected by the outcome of this proceeding; (b) if you represent a group, a description of the group and its membership; and (c) whether you intend to seek an award of costs and the grounds for your cost award eligibility. The Board may order costs in this proceeding only in relation to CNPI - PC's proposal for revenue-to-cost-ratio adjustments.

You must provide a copy of your letter of intervention to CNPI - PC.

Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which means that all filings will be available for viewing at the Board's offices and will be placed on the Board's website.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca/OEB/Industry, e-Filing Services.

The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD in PDF format, along with two paper copies.

Interrogatories and Submissions

Board-approved intervenors or Board staff wishing information and material from CNPI - PC that is in addition to the evidence filed with the Board and that is relevant to the hearing shall request it by written interrogatories filed with the Board and delivered to CNPI - PC on or before **December 22, 2010**. CNPI - PC shall file with the Board complete responses to the interrogatories and deliver them to all intervenors no later than **January 10, 2011**.

Written submissions by an intervenor or Board staff must be filed with the Board, and copied to all other parties, by **January 27, 2011**. If CNPI - PC wishes to respond to the submissions, its written response must be filed with the Board and delivered to all other parties by **February 18, 2011**.

2. Send a Letter with your Comments to the Board

If you wish to comment on the proceeding without becoming an intervenor, you may submit a letter of comment to the Board Secretary.

All letters of comment sent to the Board will be placed on the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the letter of comment on the public record, the Board will remove any personal (i.e., not business) contact information from the letter of comment (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter of comment will become part of the public record.

A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel.

Your letter of comment must be received by the Board no later than **December 20, 2010**. The Board accepts letters of comment by either post or e-mail at the addresses below.

How to Contact Us

In responding to this notice, please reference Board file number EB-2010-0069 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.oeb.gov.on.ca/OEB/Industry or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING A LETTER IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Board:

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings: <https://www.errr.oeb.gov.on.ca/>

E-mail: boardsec@oeb.gov.on.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

The Applicant:

Canadian Niagara Power Inc. - Port Colborne
1130 Bertie St.
P.O. Box 1218
Fort Erie, ON L2A 5Y2
Attention: Mr. Douglas Bradbury

E-mail: doug.bradbury@cnpower.com
Tel: (905) 994-3634
Fax: (905) 994 2207

DATED at Toronto, November 29, 2010.
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary