



EB-2011-0049

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 Norfolk Power
Distribution Inc. for an order or orders approving or fixing a
just and reasonable rates and other charges, to be effective
May 1, 2011.

DECISION AND ORDER ON INTERIM RATES, INTERVENTIONS AND COST ELIGIBILITY

Norfolk Power Distribution Inc. ("Norfolk") filed an application (the "IRM3 application") with the Ontario Energy Board (the "Board") on March 21, 2011 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (the "Act"), seeking approval for changes to the rates that Norfolk 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 File Number EB-2011-0049 to this application.

The Board issued a Notice of Application and Hearing on March 25, 2011. The Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objections were received.

The Board has determined that VECC will be granted intervenor status. The Board has also determined that VECC is eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards* in relation to Norfolk's proposal for lost revenue adjustment mechanism and shared savings mechanism recoveries.

Due to the timing of this application, Norfolk requested that its existing rates be declared interim as of May 1, 2011. Since it is unlikely that a decision and order will be issued in time for Norfolk to implement any revised rates by May 1, 2011, the Board declares Norfolk's current distribution rates to be interim as of May 1, 2011. The Board will render its decision on the effective date of Norfolk's final rates in its final decision. By making rates interim as of May 1, 2011, the Board has the authority to make the final rates effective as of that date, but is not required to do so. The setting of interim rates should not be construed as predictive, in any way, of the effective date of the final rate order.

THE BOARD ORDERS THAT Norfolk Power Distribution Inc.'s current Tariff of Rates and Charges shall be made interim as of **May 1, 2011**.

DATED at Toronto, April 19, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary