

**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 ONLY

November 4, 2011

Cameron McKenzie
Director, Regulatory Affairs
Milton Hydro Distribution Inc.
8069 Lawson Road
Milton, Ontario Energy Board L9T 5C4

Dear Mr. McKenzie:

**Re: Milton Hydro Distribution Inc. ("Milton")
2012 Incentive Regulation Mechanism Rate Application
Board File Number EB-2011-0183
Disposition of Account 1562**

In its Decision in the EB-2008-0381 Combined PILs (Payments in Lieu of Taxes) proceeding ("Combined PILS Decision"), the Board indicated that distributors will be expected to apply for final disposition of Account 1562 (Deferred PILS) with their next general rates application, either IRM or cost of service. The Board also indicated in the Combined PILS Decision that if the distributor files evidence in accordance with the various decisions made in the course of the Combined PILS proceeding, including the use of the updated SIMPIL model, the determination of the final account balance will be handled expeditiously and in a largely administrative manner. However, if a distributor files on a basis which differs from what is contemplated by the Combined PILS Decision, the application can take some time to process, and therefore should not be included in an IRM application. Deviations from the Combined PILS Decision could include taking a different position on issues considered by the Board in the Combined PILs proceeding, addressing issues not arising in the Combined PILs proceeding or filing older SIMPIL models rather than the updated models containing the Excel worksheet 'TAXREC 3' as used by Halton Hills Hydro Inc.

Board staff reviewed the evidence filed by Milton supporting the disposition of Account 1562 and the Board has determined that Milton's application is not consistent with the various decisions made in the course of the Combined PILS proceeding. The

inconsistencies identified relate to policy, in that Milton has reduced its total interest expense each year by deducting interest expense on customer deposits, and on prudentials to the IESO, in the calculation of the interest claw-back penalty. Also, it is not apparent how Milton may have treated interest expense on regulatory liabilities in its evidence.

Therefore, the Board will not hear the request for disposition of Account 1562 as part of Milton's 2012 IRM application but will consider it on a stand-alone basis in a separate application. The Board expects Milton to address the disposition of account 1562 in a stand-alone application to be filed no later than April 1, 2012.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary

c: Michael Buonaguro, Counsel, VECC
Shelley Grice, P. Eng, Econalysis Consulting Services
J. Shewchun