



EB-2011- 0206

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 Whitby Hydro
Electric Corporation for an order approving just and
reasonable rates and other charges for electricity distribution
to be effective January 1, 2012.

ORDER FOR INTERIM RATES

Whitby Hydro Electric Corporation ("Whitby") filed an application with the Ontario Energy Board (the "Board") on September 30, 2011 for permission to change its delivery charges beginning January 1, 2012. The Application was filed under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B), under the Board's guidelines for 3rd Generation Incentive Regulation Mechanism which provides for a mechanistic and formulaic adjustment to distribution rates between cost of service applications.

The Board issued the Notice of Application and Hearing on October 18, 2011 in which it established dates for interrogatories, responses from the applicant, submissions and replies to the submissions.

In the Application, Whitby requested that the existing rates be made interim commencing January 1, 2012 in the event that there is insufficient time for the Applicant to prepare a draft Rate Order and the Board to issue a final Decision and Order in this application for the implementation of the proposed rates and charges as of January 1, 2012. Whitby also requested to be permitted to recover the incremental revenue from the effective date to the implementation date if the dates are not aligned.

On December 22, 2011, the Board issued its Decision and Order on Whitby's 2012 IRM application. Attached to that Decision was a draft of Whitby's 2012 Tariff of Rates and Charges. The Decision established a deadline of December 30, 2011 for Whitby to either provide a written confirmation assessing the completeness and accuracy of the draft Tariff of Rates and Charges, or to provide a detailed explanation of any inaccuracies or missing information. On December 23, 2011, Whitby filed a letter with the Board requesting an extension to January 6, 2012.

The Board will grant the extension and will establish Whitby's current rates as interim. In declaring Whitby's current rates interim, the Board emphasizes that this order for interim rates should not be construed as predictive, in any way whatsoever, of the final determination of this application.

THE BOARD ORDERS THAT:

1. The currently approved rates of Whitby Hydro Electric Corporation are declared interim as of January 1, 2012 and until such time as a final Rate Order is issued by the Board.

DATED, at Toronto December 29, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary