

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 Greater Sudbury Hydro Inc for an Order pursuant to Section 78 of the Ontario Energy Board Act, 1998, for the approval of certain Conservation and Demand Management Programs.

AND IN THE MATTER OF section 21(4) of the Act for the Board to dispose of this application without a hearing.

Notice of Motion

1. Greater Sudbury Hydro Inc. ("Greater Sudbury") will make a motion to the Ontario Energy Board ("the Board") of a date and time to be fixed by the Board.
2. The motion is for a review of the Board's decision in EB-2008-0147 with respect to the 2009 – 2011 spending period as approved by the Board.

Background

3. Greater Sudbury applied under section 78 of the Ontario Energy Board Act, 1998, S.O. 1998, c15 (Schedule B) to spend \$2,722,588 over three years for certain Conservation and Demand Management ("CDM") programs.
4. In its Decision, the Board approved Greater Sudbury's revised application and request for \$2,668,588 for the 2009 – 2011 period.
5. The approved CDM programs include: Community Awareness Program, Electric Thermal Storage Program ("ETS"), Commercial Parking Lot Plug Controller Program ("CPLPC"), Vending Machine and Self Service Coolers Efficiency Program ("VW"), LED Traffic Light Conversion Program, and West Nipissing Street Light Conversion Program ("WNSC").
6. Greater Sudbury's CDM plan included an evaluation budget to support the plan and its programming activities.
7. Greater Sudbury was granted approval to recover the approved CDM expenditures coincident with Greater Sudbury's 2009 cost of service application and the IRM process for 2010 and 2011.

8. Greater Sudbury has fulfilled the Annual Reporting Guidelines set out in Section 8.0 of the Board's Guidelines Electricity Distributor Conservation and Demand Management – Board File. No.: EB-2008-0037 by filing an annual summary of the spending and results for both the 2009 and 2010 program years.

The Relief Sought on the Motion

9. Greater Sudbury seeks to transfer funds among programs. The amount transferred among programs is less than 20% with the exception of the Street Lighting Program, which exceeds 20% of the original approved budget.
10. Greater Sudbury also seeks to extend the 2009 – 2011 spending period until the end of 2012.

The Grounds for the Motion

11. The ground for the motion is that there have been many changes in circumstances that have arisen since the Board's Decision.
12. The most significant of these changes took place in 2010 when GSHI was given its allocation of the provincial targets by the OPA.
13. Due to the effort required to develop a strategic plan for the delivery of OPA-Contracted Province-Wide CDM Programs, Greater Sudbury experienced CDM staffing/resource capacity issues throughout 2010 and 2011.
14. Many of the technologies included in the CDM plan are new to customers and were nonexistent in Greater Sudbury's marketplace prior to program launch. As a result program uptake has been slower than anticipated.
15. Greater Sudbury increased its program advertising and promotional efforts throughout 2010 and 2011. As a result, the 2011 program saw a significant increase in program participation in many of the CDM programs. Greater Sudbury expects this momentum to continue into 2012.
16. In 2010, Greater Sudbury experienced significant technical challenges with the implementation of its AMI and CIS systems. These challenges resulted in the delay of its Time of Use (TOU) rates, which in turn slowed the uptake on the ETS Program. However, Greater Sudbury has received commitment for a significant portion of the remaining budgeted program participants.
17. Most recently, Time of Use (TOU) rates have been further delayed for reasons beyond the control of Greater Sudbury. Notification from the IESO

came late in November 2011 advising that Version R7.2 for MDMR production testing would not meet the mid January 2012 deadline, thus, deferring it to March 30, 2012. Again on March 6, 2012, the IESO postponed the target date of March 30, 2012.

18. The Ontario Power Authority (OPA) has not shown interest in funding CDM programs aimed at reducing winter peak. As such, Greater Sudbury feels it is necessary to support CDM programs that meet their customer and local issues.
19. Early evaluation findings indicate that many of the barriers experienced during the implementation of Third Tranche CDM programs are still present in the market. Customers are uncertain and fearful about what they will get out of participating in a CDM program. This reality has resulted in lower market penetration than originally planned.
20. As a result of Greater Sudbury's involvement in the Street Lighting Program, the City of Sudbury has shown interest in expanding its pilot study of advanced street and roadway lighting options. This increase in program uptake requires a transfer of funds from other programs.

Documentary Evidence

21. In the table shown below, Greater Sudbury outlines the CDM spending to date.

Table 1. Approved CDM Spending To Date

Program Category	Total Approved Budget	Actual Expenditures 2009	Actual Expenditures 2010	Actual Expenditures 2011	Total Expenditures 2009 - 2011
Community Awareness Program	\$96,000	\$5,012	\$622	\$41,327	\$46,961
Electric Thermal Storage Program	\$1,057,000	\$48,384	\$39,782	\$112,406	\$200,572
LED Traffic Light Program	\$77,838	\$558	\$138	\$47,252	\$47,948
Parking Lot Controller Program	\$857,000	\$48,392	\$112,503	\$118,806	\$279,701
Street Light Conversion Program	\$81,250	\$574	\$162	\$29,246	\$29,982
Vending Miser	\$429,500	\$9,051	\$(535)	\$125,449	\$133,965

Program					
Evaluation	\$70,000	\$929	\$12,861	\$0	\$13,789
Total	\$2,668,588	\$112,900	\$165,533	\$474,486	\$752,918

22. In the table shown below, Greater Sudbury outlines the proposed 2012 planned CDM spending.

Table 2. Proposed 2012 CDM Spending

Program Category	Total Approved Budget (A)	Total Expenditures 2009 – 2011 (B)	Remaining Budget (C) = (A-B)	Proposed 2012 CDM Spending
Community Awareness Program	\$96,000	\$46,961	\$49,039	\$49,039
Electric Thermal Storage Program	\$1,057,000	\$200,572	\$856,428	\$685,142
LED Traffic Light Program	\$77,838	\$47,948	\$29,890	\$11,956
Parking Lot Controller Program	\$857,000	\$279,701	\$577,299	\$432,974
Street Light Conversion Program	\$81,250	\$29,982	\$51,268	\$384,812
Vending Miser Program	\$429,500	\$133,965	\$295,535	\$295,535
Evaluation	\$70,000	\$13,789	\$56,211	\$56,211
Total	\$2,668,588	\$752,919	\$1,915,669	\$1,915,669

23. Greater Sudbury proposes to spend 100% (\$1,915,669) of the remaining approved CDM budget in 2012.

24. Greater Sudbury proposes to continue meeting it's filing requirements outlined in the Board's Guidelines by filing an annual summary of the Board Approved CDM spending and results for both the 2011 and 2012 program years.