

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
Canadian Niagara Power Inc. – Port Colborne for an
order or orders approving or fixing just and
reasonable distribution rates and other charges
effective May 1, 2008.

BEFORE: Paul Vlahos
Presiding Member

Paul Sommerville
Member

RATE ORDER

On October 29, 2007, Canadian Niagara Power Inc. – Port Colborne (“CNPI – Port Colborne”) filed an application with the Ontario Energy Board, (the “Board”) under section 78 of the Ontario Energy Board Act, 1998; S.O. 1998, c.15 Schedule B, for an order or orders approving or fixing just and reasonable rates for the distribution of electricity effective May 1, 2008. The Board assigned file number EB-2007-0842 to the application.

On March 19, 2008, the Board issued its Decision (the “Decision”) in the matter of CNPI – Port Colborne’s application.

The Board directed CNPI – Port Colborne to file with the Board a Draft Rate Order attaching a proposed Tariff of Rates and Charges reflecting the Board’s Decision, within 7 days of the date of the Decision.

In accordance with the Board’s direction, CNPI – Port Colborne has provided the Board with a Draft Rate Order and Tariff of Rates and Charges.

In the Decision the Board directed CNPI – Port Colborne to limit the rate increase, if required, to the Street Lighting class to 10% and to include the foregone revenue, if any, in a deferral account. The resultant tariff of rates from the Board’s 2008 IRM decision model for CNPI – Port Colborne yields a Street Lighting class rate with resulting bill impacts greater than 10%. This rate change was primarily the result of removing the regulatory asset rate rider. CNPI – Port Colborne is directly mitigating these bill impacts by reducing its volumetric

distribution rate charged to the Street Lighting class. The Board's decision model with the required adjustments produced a volumetric distribution rate of \$3.9113 per kW; CNPI – Port Colborne has directly mitigated this rate to \$2.7636 per kW. A deferral account will be established to account for the amount of foregone revenue.

The Board is satisfied that the Draft Rate Order and Tariff of Rates and Charges accurately reflects the Decision.

THE BOARD ORDERS THAT:

1. The Tariff of Rates and Charges set out in Appendix A of this Rate Order is approved, effective May 1, 2008, for electricity consumed or estimated to have been consumed on and after May 1, 2008.
2. The Tariff of Rates and Charges set out in Appendix A of this Order supersedes all previous distribution rate schedules approved by the Ontario Energy Board for CNPI – Port Colborne, and is final in all respects.
3. CNPI – Port Colborne shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

DATED at Toronto, <DATE>.

ONTARIO ENERGY BOARD

Kirsten Walli
Board Secretary

APPENDIX A

TARIFF OF RATES AND CHARGES

CANADIAN NIAGARA POWER INC. – PORT COLBORNE

RATE ORDER

Board File No. EB-2007-0842

<Date>