

**Ontario Energy
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BY EMAIL

January 22, 2013

Ontario Energy Board
P.O. Box 2319
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2300 Yonge Street
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Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Midland Power Utility Corporation ("Midland")
2013 Cost-of-Service Distribution Rate Application
Board File No. EB-2012-0147
Board Staff Comments**

In accordance with the Board's Decision and Order in the above noted proceeding, Board staff has reviewed Midland's draft Tariff of Rates and Charges dated January 21, 2013. Please find attached Board staff comments related to the materials filed. Please forward the following to Midland Power Utility Corporation and to all other registered parties to this proceeding.

Yours truly,

Original Signed By

Suresh Advani
Advisor, Applications & Regulatory Audit

**Midland Power Utility Corporation (“Midland”)
2013 Cost of Service (EB-2012-0147)**

Board Staff Comments on Draft Rate Order

On January 17, 2013, the Board issued its Decision and Order on Midland’s rate application. The Decision required the Applicant to submit its Draft Rate Order attaching a proposed Tariff of Rates and Charges within seven days of the issuance of the Decision. The Applicant submitted its Draft Rate Order including a proposed Tariff of Rates and Charges on January 21, 2013. Board staff submits that Midland has appropriately reflected the Board’s findings. Board staff however notes below a change in the Application section of the Tariff of Rates and Charges approved by the Board in 2013 rate applications.

Tariff of Rates and Charges

Board staff notes that the 3rd paragraph in the “Application” section of the tariff sheet for each rate class reads as follows:

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable.

Based on recent Tariff of Rates and Charges approved by the Board in 2013 rate applications, Board staff submits that this paragraph should be amended as follows:

Unless specifically noted, this schedule does not contain any charges for the electricity commodity, be it under the Regulated Price Plan, a contract with a retailer or the wholesale market price, as applicable. In addition, the charges in the MONTHLY RATES AND CHARGES – Regulatory Component of this schedule do not apply to a customer that is an embedded wholesale market participant.

- All of which is respectfully submitted -