



EB-2007-0526
EB-2007-0104

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 Essex
Powerlines Corporation for an order or orders approving
or fixing just and reasonable distribution rates and other
charges, to be effective May 1, 2007.

BEFORE: Paul Sommerville
Presiding Member

Paul Vlahos
Member

Ken Quesnelle
Member

DECISION AND ORDER

Essex Powerlines Corporation ("Essex") is a licensed distributor providing electrical service to consumers within its licensed service area. Essex filed an application with the Ontario Energy Board (the "Board") for an order or orders approving or fixing just and reasonable rates for the distribution of electricity and other charges, to be effective May 1, 2007.

Essex is one of 85 electricity distributors in Ontario that are regulated by the Board. To streamline the process for the approval of distribution rates and charges for these distributors, the Board issued its *Report of the Board on Cost of Capital and 2nd Generation Incentive Regulation for Ontario's Electricity Distributors* (the "Report") on December 20, 2006. The Report contained the relevant guidelines for 2007 rate adjustments ("the guidelines") for distributors applying for rates only on the basis of the cost of capital and 2nd generation incentive regulation mechanism policies set out in the Report.

Public notice of Essex's rate application was given through newspaper publication in Essex's service area. The evidence filed as part of the rate application was made available to the public. Both Essex and interested parties had the opportunity to file written submissions in relation to the rate application. The Board received no submissions. While the Board has considered the entire record in this rate application, it has made reference only to such evidence as is necessary to provide context to its findings.

Essex's rate application was filed on the basis of the guidelines. In fixing new rates and charges for Essex, the Board has applied the policies described in the Report.

After confirming the accuracy of the 2006 rate tariff and accompanying materials submitted in the rate application, the Board applied its approved price cap index adjustment to distribution rates (fixed and variable) uniformly across all customer classes. The price cap index is calculated as a price escalator less an X-factor of 1.0%, intended to represent input price and productivity trends. Based on the final 2006 data published by Statistics Canada, the Board has established the price escalator to be 1.9%. The resulting price cap index adjustment is therefore 0.9%.

The price cap index adjustment was not applied to the following components of the rates:

- the specific service charges;
- the regulatory asset recovery rate rider; and
- the smart meter rate adder (an amount in the fixed components of the rates associated with smart meter cost recovery).

Essex requested an amount for smart meter costs. It applied for the continuation of the 2006 smart meter rate adder for 2007. The Board has approved an amount of \$0.28 per month per metered customer. Essex's variance accounts for smart meter program implementation costs, previously authorized by the Board, are continued. It is the Board's understanding that Essex will not be undertaking any smart metering activity (i.e. discretionary metering activity) in 2007. The amount collected through the smart meter rate adder will be booked into the existing variance accounts, and retained in those accounts, to help fund future smart meter activity. As the notice of this application indicated, the Board will be holding a combined proceeding to consider, among other things, appropriate recovery of smart meter costs.

Essex has also requested a change in the description of one of the service classes. The 2006 approved tariff of rates and charges describes Sentinel Lighting as, "This classification refers to an account for lighting which is owned and maintained either by the property owner (customer), a retailer who is leasing the device to a customer." Essex has submitted that this definition be changed to, "This classification refers to accounts that are an unmetered lighting load supplied to a sentinel light." Essex believes that this is a more appropriate description of the service class. The Board accepts this change.

Market Adjusted Revenue Requirement ("MARR") based Conservation and Demand Management ("CDM") funding

The Board issued a letter on March 1, 2007 setting out the process for distributors to apply for incremental funding for CDM programs in 2007 distribution rates.

In the letter, the Board indicated that it would use an expedited approach for the approval of additional funding for CDM programs that are currently undertaken as part of the third tranche of the MARR-based CDM Programs.

The letter also stated:

"For funding requests received before March 23, 2007, the funds will be included in 2007 rates for implementation on May 1 (provided that the TRC analysis requirement is met) but all amounts collected in rates in relation to the costs of the MARR-based CDM Program will be booked into a variance account. The Board will subsequently hold a hearing in relation to the approval of the extended MARR-based CDM Program. If the extended Program is approved, the variance account will be closed. If the Program is not approved, the variance account will remain and be the subject of disposition in the future, the expectation being that the Program would be discontinued".

Essex filed an application with the Board for \$56,400 of CDM funding to extend two MARR-based CDM programs: Xmas Light Exchange Program and ECOenergy home retrofit initiative. The Board assigned file number EB-2007-0104 to this application.

The Xmas light exchange program would run in November as a two-day event. Essex reported that the program passed the TRC test. The Board finds that Essex has satisfied the minimum requirements set out in the March 1, 2007 letter.

Essex has proposed to extend their ECOenergy home retrofit program to April 2008 with a target of 100 homes. The program provides incentive for users to have an assessment of the energy efficiency of their home. Essex reported that the program passed the TRC test. The Board finds that Essex has satisfied the minimum requirements set out in the March 1, 2007 letter.

Essex has applied for gross CDM funding in the amount of \$56,400 allocated to the Residential rate classes. All these costs relate to operating expenses. The Board approves the collection in 2007 rates of an amount of \$57,136, which includes an allowance for working capital.

The Board authorizes the establishment of a new sub-account in Account 1508 to track the expenditures of these programs. The Board will subsequently hold a hearing in relation to the approval of the extended MARR-based CDM Programs.

The Board has made the necessary adjustments to Essex's filed 2006 Tariff of Rates and Charges to produce a new Tariff of Rates and Charges to be effective May 1, 2007. The Board finds the rates and charges in the Tariff of Rates and Charges attached as Appendix A to this decision to be just and reasonable.

THE BOARD ORDERS THAT:

1. The Tariff of Rates and Charges set out in Appendix A of this order is approved, effective May 1, 2007, for electricity consumed or estimated to have been consumed on and after May 1, 2007.
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 Essex, and is final in all respects.
3. Essex shall notify its customers of the rate changes no later than with the first bill reflecting the new rates.

4. A new sub-account for the costs of the extended MARR-based CDM Programs, Xmas Light Exchange Program and ECOenergy home retrofit initiative, be created under main account 1508.

DATED at Toronto, April 12, 2007.

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary

Appendix A

EB-2007-0526
EB-2007-0104

April 12, 2007

ONTARIO ENERGY BOARD

Essex Powerlines Corporation

TARIFF OF RATES AND CHARGES

Effective May 1, 2007

This schedule supersedes and replaces all previously approved schedules of Rates, Charges and Loss Factors

EB-2007-0526

APPLICATION

- The application of these rates and charges shall be in accordance with the Licence of the Distributor and any Codes, Guidelines or Orders of the Board, and amendments thereto as approved by the Board, which may be applicable to the administration of this schedule.
- No rates and charges for the distribution of electricity and charges to meet the costs of any work or service done or furnished for the purpose of the distribution of electricity shall be made except as permitted by this schedule, unless required by the Distributor's Licence or a Code, Guideline or Order of the Board, and amendments thereto as approved by the Board, or as specified herein.
- This schedule does not contain any rates and charges relating to the electricity commodity (e.g. the Regulated Price Plan).

EFFECTIVE DATES

DISTRIBUTION RATES – May 1, 2007 for all consumption or deemed consumption services used on or after that date.

SPECIFIC SERVICE CHARGES – May 1, 2007 for all charges incurred by customers on or after that date.

LOSS FACTOR ADJUSTMENT – May 1, 2007 unless the distributor is not capable of prorating changed loss factors jointly with distribution rates. In that case, the revised loss factors will be implemented upon the first subsequent billing for each billing cycle.

SERVICE CLASSIFICATIONS

Residential

This classification refers to an account taking electricity at 750 volts or less where the electricity is used exclusively in a separately metered living accommodation. Customers shall be residing in single-dwelling units that consist of a detached house or one unit of a semi-detached, duplex, triplex or quadruplex house, with a residential zoning. Separately metered dwellings within a town house complex or apartment building also qualify as residential customers.

General Service Less Than 50 kW

This classification refers to a non residential account taking electricity at 750 volts or less whose average monthly maximum demand is less than, or is forecast to be less than, 50 kW.

General Service 50 to 2,999 kW

This classification refers to a non residential account whose monthly average peak demand is equal to or greater than, or is forecast to be equal to or greater than, 50 kW but less than 3,000 kW.

General Service 3,000 to 4,999 kW

This classification refers to a non residential account whose monthly average peak demand is equal to or greater than, or is forecast to be equal to or greater than, 3,000 kW but less than 5,000 kW.

Unmetered Scattered Load

This classification refers to an account whose monthly average peak demand is less than, or is forecast to be less than, 50 kW and the consumption is unmetered. Such connections include cable TV power packs, bus shelters, telephone booths, traffic lights, railway crossings, etc. The customer will provide detailed manufacturer information/documentation with regard to electrical consumption of the proposed unmetered load.

Sentinel Lighting

This classification refers to accounts that are an unmetered lighting load supplied to a sentinel light.

Street Lighting

This classification refers to an account for roadway lighting with a Municipality, Regional Municipality, Ministry of Transportation and private roadway lighting operation, controlled by photo cells. The consumption for these customers will be based on the calculated connected load times the required lighting times established in the approved OEB street lighting load shape template.

Essex Powerlines Corporation

TARIFF OF RATES AND CHARGES

Effective May 1, 2007

**This schedule supersedes and replaces all previously
approved schedules of Rates, Charges and Loss Factors**

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MONTHLY RATES AND CHARGES

Residential

Service Charge	\$	11.21
Distribution Volumetric Rate	\$/kWh	0.0151
Regulatory Asset Recovery	\$/kWh	0.0016
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0065
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0037
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service Less Than 50 kW

Service Charge	\$	12.86
Distribution Volumetric Rate	\$/kWh	0.0050
Regulatory Asset Recovery	\$/kWh	0.0007
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0060
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0033
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 50 to 2,999 kW

Service Charge	\$	343.10
Distribution Volumetric Rate	\$/kW	2.7420
Regulatory Asset Recovery	\$/kW	0.1095
Retail Transmission Rate – Network Service Rate	\$/kW	2.4284
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.3130
Retail Transmission Rate – Network Service Rate – Interval Metered	\$/kW	2.7159
Retail Transmission Rate – Line and Transformation Connection Service Rate – Interval Metered	\$/kW	1.5485
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

General Service 3,000 kW to 4,999 kW

Service Charge	\$	4,068.07
Distribution Volumetric Rate	\$/kW	4.7997
Regulatory Asset Recovery	\$/kW	(0.0241)
Retail Transmission Rate – Network Service Rate	\$/kW	2.7159
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.5485
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Essex Powerlines Corporation

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Un-metered Scattered Load

Service Charge (per connection)	\$	8.90
Distribution Volumetric Rate	\$/kWh	0.0309
Regulatory Asset Recovery	\$/kWh	0.0010
Retail Transmission Rate – Network Service Rate	\$/kWh	0.0060
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kWh	0.0033
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Sentinel Lighting

Service Charge (per connection)	\$	0.72
Distribution Volumetric Rate	\$/kW	4.5350
Regulatory Asset Recovery	\$/kW	0.4068
Retail Transmission Rate – Network Service Rate	\$/kW	1.8407
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.0363
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Street Lighting

Service Charge (per connection)	\$	0.38
Distribution Volumetric Rate	\$/kW	3.4005
Regulatory Asset Recovery	\$/kW	(0.2758)
Retail Transmission Rate – Network Service Rate	\$/kW	1.8314
Retail Transmission Rate – Line and Transformation Connection Service Rate	\$/kW	1.0150
Wholesale Market Service Rate	\$/kWh	0.0052
Rural Rate Protection Charge	\$/kWh	0.0010
Standard Supply Service – Administrative Charge (if applicable)	\$	0.25

Specific Service Charges

Customer Administration		
Arrears Certificate	\$	15.00
Statement of account	\$	15.00
Duplicate invoices for previous billing	\$	15.00
Request for other billing information	\$	
15.00		
Easement Letter	\$	15.00
Income tax Letter	\$	15.00
Account history	\$	15.00
Returned Cheque (plus bank charges)	\$	15.00
Legal letter charge	\$	15.00
Account set up charge/change of occupancy charge (plus credit agency costs if applicable)	\$	30.00
Special meter reads	\$	30.00
Meter dispute charge plus Measurement Canada fees (if meter found correct)	\$	30.00
Non-Payment of Account		
Late Payment - per month	%	1.50
Late Payment - per annum	%	19.56
Collection of account charge – no disconnection	\$	30.00
Collection of account charge - no disconnection – after regular hours	\$	165.00
Disconnect/Reconnect Charge - At Meter During Regular Hours	\$	65.00
Disconnect/Reconnect Charge - At Meter After Hours	\$	185.00
Disconnect/Reconnect at pole – during regular hours	\$	185.00
Disconnect/Reconnect at pole – after regular hours	\$	415.00

Essex Powerlines Corporation

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Install/Remove load control device – during regular hours	\$	65.00
Install/Remove load control device – after regular hours	\$	185.00
Service call – customer owned equipment	\$	30.00
Service call – after regular hours	\$	165.00
Temporary service install & remove – overhead – no transformer	\$	500.00
Temporary service install & remove – underground – no transformer	\$	300.00
Temporary service install & remove – overhead – with transformer	\$	1000.00
Specific Charge for Access to the Power Poles – per pole/year	\$	22.35
Allowances		
Transformer Allowance for Ownership - per kW of billing demand/month	\$/kW	(0.60)
Primary Metering Allowance for transformer losses – applied to measured demand and energy	%	(1.00)

LOSS FACTORS

Total Loss Factor – Secondary Metered Customer < 5,000 kW	1.0544
Total Loss Factor – Secondary Metered Customer > 5,000 kW	N/A
Total Loss Factor – Primary Metered Customer < 5,000 kW	1.0439
Total Loss Factor – Primary Metered Customer > 5,000 kW	N/A