



EB-2013-0321

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 Ontario
Power Generation Inc. pursuant to section 78.1 of the
Ontario Energy Board Act, 1998 for an order or orders
determining payment amounts for the output of certain of
its generating facilities.

BEFORE: Marika Hare
Presiding Member

Allison Duff
Board Member

Christine Long
Board Member

INTERIM PAYMENT AMOUNTS ORDER

Ontario Power Generation Inc. ("OPG") filed an application, dated September 27, 2013, with the Ontario Energy Board under section 78.1 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, Schedule B (the "Act") seeking approval for increases in payment amounts for the output of its nuclear generating facilities and the currently prescribed hydroelectric generating facilities, to be effective January 1, 2014. The application also seeks approval for payment amounts for newly prescribed hydroelectric generating facilities, to be effective July 1, 2014. The Board has assigned the application file number EB-2013-0321.

OPG seeks an order declaring the current payment amounts interim effective January 1, 2014 for the currently prescribed hydroelectric and nuclear facilities. Given the filing date of this application, the Board will not be in a position to render a decision in time to implement new rates on January 1, 2014. The Board is prepared to make OPG's

current payment amounts for the currently prescribed hydroelectric and nuclear facilities interim pending the Board's decision. This determination is made without prejudice to the Board's ultimate decision on OPG's application, and should not be construed as predictive, in any way whatsoever, of the Board's final determination with regards to the effective date for OPG's payment amounts arising from this application.

OPG also seeks an order "declaring OPG's current payment amounts for the newly regulated hydroelectric facilities interim as of July 1, 2014, if the order or orders approving the payment amounts are not implemented by July 1, 2014." The newly regulated hydroelectric facilities currently receive payment for their output based entirely on the Hourly Ontario Energy Price. The Board approves OPG's request. The Board notes that amendments to Ontario Regulation 53/05, *Payments Under Section 78.1 of the Act* were made on November 27, 2013. The amendments state that in making the first order in respect of the newly regulated hydroelectric facilities, "The order shall provide for the payment of amounts with respect to output that is generated at a generation facility referred to in paragraph 6 of section 2 during the period from July 1, 2014 to the day before the effective date of the order."

THE BOARD ORDERS THAT:

1. The currently approved payment amounts for the currently prescribed hydroelectric and nuclear facilities are declared interim as of January 1, 2014 and until such time as a final payment amounts order is issued by the Board.
2. The current payment amounts for the newly prescribed hydroelectric are declared interim as of July 1, 2014 and until such time as a final payment amounts order is issued by the Board.

DATED at Toronto, December 17, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary