



EB-2006-0233

IN THE MATTER OF sections 25.20 and 25.21 of the
Electricity Act, 1998;

AND IN THE MATTER OF a Submission by the Ontario Power
Authority to the Ontario Energy Board for the review of its
proposed expenditure and revenue requirements and the fees
which it proposes to charge for the year 2007.

DECISION AND PROCEDURAL ORDER NO. 6

Introduction

On November 1, 2006, the Ontario Power Authority (the “OPA”) filed with the Ontario Energy Board (the “Board”) its proposed 2007 expenditure and revenue requirement and fees for review pursuant to subsection 25.21(1) of the *Electricity Act, 1998* (the “Act”). Pursuant to subsection 25.21(2) of the Act, the OPA sought approvals from the Board with respect to its expenditures, revenue requirements, deferral accounts and proposed registration and usage fees. The Board assigned file number EB-2006-0233 to this matter.

On November 20, 2006 the Board issued a Notice of Application with respect to this proceeding.

On December 14, 2006 the Board issued Procedural Order No. 1 in which, among other things, the Board provided for an Issues Day, a Technical Conference and a Settlement Conference.

On December 21, 2006 the Board issued Procedural Order No. 2 in which the Board approved the Issues List. The Technical Conference was held on January 8 and 9, 2007 and the Settlement Conference commenced on January 15, 2007.

On January 11, 2007 the Board issued Procedural Order No. 3 and set January 17, 2007 as the date for filing any settlement proposal, which date was later delayed to January 22, 2007 by Procedural Order No. 4.

Presentation of Settlement Proposal and Decision of Board

In accordance with Procedural Order No. 5 issued January 23, 2007, the Applicant presented the Settlement Proposal to the Board on January 26, 2007 and the Applicant and parties responded to the Board's questions regarding that Settlement Proposal. All parties had come to a complete settlement on the following issues:

- Issue 2 – Power System Planning Operating Budget
- Issue 3 – Supply Procurement and Contracting Operating Budget
- Issue 5 – Building Organizational Capacity Operating Budget
- Issue 6 – General

The following issues were not completely settled by the parties:

- Issue 1 – Conservation and Demand Management Operating Budget
- Issue 4 – Sector Development Operating Budget

At the proceeding on January 26, 2007, the Board reserved its decision whether to approve the settled issues.

On January 26, 2007, Board Member Rupert posed a question with respect to a matter falling under Issue 6, which the OPA was not in a position to answer on that day. The OPA filed a written answer with the Board on January 30, 2007. The Board has since posed a written follow-up question to the OPA which was copied to all parties. The OPA's response to that question is pending.

The Board hereby accepts the settlement of Issues 2, 3 and 5 as agreed by the parties.

On the consent of all active parties, the Board heard argument with respect to Issue 4 (Sector Development Operating Budget) on January 26, 2007. The Board issued an oral decision the same day. That decision can be found at pages 50 and 51 of the Board's transcript of the proceedings in this matter (EB-2006-0233).

The Board will convene an oral hearing to deal with Issue 1 (Conservation and Demand Management Budget) and subject to the response from the OPA as noted earlier, the hearing may deal with Issue 6 (General).

The Board considers it necessary to make provision for the following procedural matters. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. An oral hearing will be held at 2300 Yonge Street, Toronto on the 25th floor in the West Hearing Room commencing 9:00 a.m. on Thursday February 15, 2007 and continuing on Friday February 16, 2007, if necessary, regarding the subject of Issue 1 (Conservation and Demand Management Budget) and potentially Issue 6 (General).

ISSUED at Toronto, February 8, 2007

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary