



EB-2014-0101

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF a request by Oshawa PUC Networks Inc. for an order for its rates and other charges for electricity distribution to be declared interim effective January 1, 2015.

**INTERIM RATE ORDER
December 30, 2014**

Oshawa PUC Networks Inc. (“OPUCN”) notified the Ontario Energy Board (the “Board”) on July 12, 2013 of its intention to file a Custom Incentive Rate-Setting (Custom IR) application as set out in the *Report of the Board – a Renewed Regulatory Framework for Electricity Distributors* for distribution rates to take effect on January 1, 2015. The Board assigned the application file number EB-2014-0101.

On December 23, 2014, OPUCN notified the Board of a delay in its intended filing resulting from the scale and scope of the application. It noted its intention to file a full application including all supporting evidence prior to the end of January 2015. This application would propose new rates to take effect on January 1, 2015. OPUCN therefore requested that its current rates be declared interim as of January 1, 2015 pending disposition of the application.

On December 24, 2015, the School Energy Coalition (“SEC”) filed a letter to express its view that the Board should not declare OPUCN’s rates interim at this time. SEC asked the Board to require Oshawa to provide reasons why new rates should be effective at the interim date and noted that intervenors and Board Staff should be given the opportunity to make submissions on the issue. SEC submitted that the request from Oshawa should be denied.

Further on December 24, 2015, OPUCN's counsel filed a letter to support OPUCN's request. Its counsel noted that the reason OPUCN advanced its request that its rates be declared interim when it did is simply so that this request is made prior to the effective date for which interim rates are sought. Its counsel also noted that OPUCN fully acknowledges that a declaration by the Board that its current rates be interim as of January 1, 2015 would in no way be dispositive of whether such rates should ultimately be changed effective January 1st or effective at some later date.

OPUCN has not yet filed its rate application. It is clear that no decision of the Board will therefore be rendered until sometime in 2015.

As the applicant notes, the establishment of interim rates in no way fetters the Board's discretion to determine the rates to be ultimately set nor the effective date of those rates. I will therefore declare OPUCN's current approved rates interim as of January 1, 2015. This determination of interim rates is made without prejudice to the Board's decision on the forthcoming rate application and should not be construed as predictive, in any way whatsoever, of the Board's final determination with regards to the effective date of rates arising from the forthcoming application.

Given the expectation that the issue of the appropriate effective date will arise in the course of the rates proceeding itself, this determination is also not to be construed as prejudicial to SEC or any other party's ability to argue for any effective date. In this manner, the concerns SEC has raised in its letter will also be addressed.

I therefore consider it necessary to make provision for the following matter related to this proceeding.

IT IS THEREFORE ORDERED THAT:

1. OPUCN's current Board-approved Tariff of Rates and Charges is declared interim effective January 1, 2015.

All filings to the Board must quote the file number, EB-2014-0101, be made electronically in searchable / unrestricted PDF format through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and

document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **December 30, 2014**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original Signed By

Kristi Sebalj
Registrar