



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

VARY ORDER

EB-2019-0054

NIAGARA PENINSULA ENERGY INC.

Order Varying the Decision and Order issued on December 12, 2019

Application for rates and other charges to be effective May 1, 2020

By Delegation, Before: Pascale Duguay

April 28, 2020

INTRODUCTION AND SUMMARY

The Ontario Energy Board (OEB) has, on its own motion, pursuant to section 41 of the OEB's *Rules of Practice and Procedure*, decided to review and vary its Decision and Rate Order in this proceeding issued on December 12, 2019 (Decision). The Decision approved the incentive rate-setting mechanism (IRM) application filed by Niagara Peninsula Energy Inc. for new rates effective May 1, 2020.

On April 16, 2020, the OEB issued decisions and rate orders relating to the IRM applications filed by 31 distributors for new rates effective May 1, 2020. On the same day, the OEB issued a letter explaining its approach with regard to those decisions, stating that, in light of the uncertainty regarding the severity and duration of the COVID-19 emergency, distributors had been given the option to postpone implementation of their May 1, 2020 rates until November 1, 2020. Also therein, the OEB confirmed that the "implementation options and the guidance provided in this letter also apply to distributors who were issued an OEB Decision and Rate Order on December 12, 2019 for rates effective May 1, 2020 (EB-2019-0030 and EB-2019-0054)".

Niagara Peninsula Energy filed a letter with the OEB on April 22, 2020, advising that the utility is opting to postpone the implementation of its May 1, 2020 rates to November 1, 2020.

THE PROCESS

The OEB has decided, pursuant to sections 6(4) and 21(4) of the *Ontario Energy Board Act, 1998*, to review and vary the Decision and Rate Order without a hearing as no person will be adversely impacted by the outcome of this proceeding.

OEB FINDINGS

The OEB finds that Niagara Peninsula Energy's proposal is in the public interest. It is therefore necessary to vary the Decision and Rate Order, such that Niagara Peninsula Energy shall be authorized to implement its new rates on November 1, 2020, as requested.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The Decision and Order in EB-2019-0054, issued December 12, 2019, is varied such that paragraph 1 of the Order section is replaced, in its entirety, with the following:

1. Subject to paragraph 2, the Tariff of Rates and Charges set out in Schedule A of this Decision and Rate Order is approved effective May 1, 2020 for electricity consumed or estimated to have been consumed on and after such date.
2. In light of the COVID-19 emergency, the Tariff of Rates and Charges set out in Schedule A of this Decision and Rate Order is approved to be implemented November 1, 2020.
3. Any temporarily forgone distribution revenue associated with the postponement referred to in paragraph 2 may be tracked in Account 1509 - Impacts Arising from the COVID-19 Emergency, Sub-account Lost Revenues.
4. Niagara Peninsula Energy Inc. shall notify its customers of the rate changes no later than the delivery of the first bill reflecting the new final rates.

DATED at Toronto April 28, 2020

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar and Board Secretary