

VARY ORDER

EB-2019-0033

ERTH POWER CORPORATION

**Order Varying the Decision and Order issued on April 16, 2020
Application for rates and other charges to be effective May 1, 2020**

By Delegation, Before: Jane Scott

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 April 16, 2020 (Decision).

The Decision approved the incentive rate-setting mechanism (IRM) application filed by ERTH Power Corporation for new rates effective May 1, 2020. As a result of the OEB's findings in the Decision, effective May 1, 2020, there will be a monthly total bill increase of \$0.08 before taxes and the Ontario Electricity Rebate¹ for a residential customer in the Main rate zone consuming 750 kWh. Similarly, there will be a monthly total bill increase of \$4.33 before taxes and the Ontario Electricity Rebate for a residential customer in the Goderich rate zone consuming 750 kWh. In light of the uncertainty regarding the severity and duration of the COVID-19 emergency, the Decision also granted ERTH Power Corporation the option to postpone implementation of its new rates until November 1, 2020.

Attached to the Decision, at Schedule A, is a Tariff of Rates and Charges for each of ERTH Power Corporation's two rate zones: the Main rate zone, representing the legacy service territory of the former Erie Thames Powerlines Corporation; and, the Goderich rate zone, representing the legacy service territory of the former West Coast Huron Energy Inc. The distributor will continue to operate the two rate zones until such time as rates are rebased.²

On April 23, 2020, ERTH Power Corporation filed a letter with the OEB, advising that the utility intends to postpone the implementation of its new rates for only one of its rate zones. ERTH Power Corporation advised that, in "light of the COVID-19 emergency, after careful consideration and in the best interest of consumers, ERTH Power Corporation intends to implement the approved rate decision for the ERTH Main rate zone for May 1, 2020. ERTH Power Corporation however, intends to defer the approved rate decision for the Goderich rate zone until 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.

¹ O. Reg 363/16, s. 3, effective November 1, 2019

² EB-2018-0082, Decision and Order, December 20, 2018

OEB FINDINGS

The OEB finds that ERTH Power Corporation's proposal is in the best interest of consumers and therefore it is necessary to vary the Decision, such that ERTH Power Corporation shall be authorized to apply different rate implementation treatment for each of its two rate zones, as requested.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The Decision and Rate Order in EB-2019-0033, issued April 16, 2020, is varied such that paragraphs 1 through 5 of the Order section are replaced, in their entirety, with the following:
 1. The Tariff of Rates and Charges set out in Schedule A of this Decision and Rate Order for each of ERTH Power Corporation's Main Rate Zone and Goderich Rate Zone are 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 relating to the Goderich Rate Zone is approved to be implemented November 1, 2020; and, any temporarily forgone distribution revenue associated with the postponement may be tracked in Account 1509 - Impacts Arising from the COVID-19 Emergency, Sub-account Lost Revenues.
 3. ERTH Power Corporation shall notify its customers in each rate zone of the rate changes no later than the delivery of the first bill reflecting the new final and interim rates.

DATED at Toronto April 28, 2020

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar and Board Secretary