



EB-2007-0776

**NOTICE OF APPLICATION AND HEARING FOR AN
ELECTRICITY DISTRIBUTION RATE CHANGE**

Newmarket – Tay Power Distribution Limited

Newmarket Service Area

Newmarket – Tay Power Distribution Ltd. has filed an application with the Ontario Energy Board, received on July 4, 2008, under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B), seeking approval for changes to the rates that Newmarket – Tay Power Distribution Ltd. charges for electricity distribution, within its Newmarket Service Area, to be effective from the date of the Board's Decision. The Board has assigned the application file number EB-2007-0776. The Board's decision on this application may have an effect on all of Newmarket – Tay Power Distribution Ltd. customers within the Newmarket Service Area.

Any change to Newmarket – Tay Power Distribution Ltd.'s distribution rates will cause Newmarket – Tay Power Distribution Ltd.'s delivery charges to change. Delivery charges are one of four regular items on residential and general service customers' electric bills and vary depending on the amount of electricity consumed.

Newmarket – Tay Power Distribution Ltd. is seeking approval of \$15,190,270 as the annual revenue it requires to provide electricity distribution within its Newmarket Service Area. Newmarket – Tay Power Distribution Ltd. indicates that if the application is approved as filed, a residential customer consuming 1,000 kWh per month would experience an approximate 1.8% decrease in the total electricity bill. A general service customer having a monthly demand of 50 kW or lower and consuming 3,000 kWh per month (the approximate class average consumption) and would see an approximate 1.3% decrease in the total electricity bill. Newmarket – Tay Power Distribution Ltd. indicates that the total electricity bill relating to Street Lighting will be an approximate increase of 19%.

Newmarket – Tay Power Distribution Ltd. also requests that the Board issue an interim approval to immediately implement its proposed Retail Transmission – Network Service and Retail Transmission – Line Connection and Transformation Connection Service Rates.

The major items addressed by this application include the recovery of costs associated with: Smart Meters and Time-of-Use Rate implementation; the Holland Junction TS investment; and increases in Rate Base and operating expenses that reflect historical customer and load growth rates of 20.6% and 23.4% respectively during the nine-year period beginning in 1999.

How to see Newmarket – Tay Power Distribution Limited – Newmarket Service Area’s Application

Copies of the application are available for inspection at the Board’s office in Toronto and on its website, www.oeb.gov.on.ca, and at Newmarket – Tay Power Distribution Ltd.’s office and may be on its website.

How to Participate

You may participate in this proceeding in one of three ways:

1. Send a Letter with your Comments to the Board

Your letter with comments will be provided to the Board members deciding the application, and will be part of the public record for the application. Your letter must be received by the Board no later than **30 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

2. Become an Observer

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board.

You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact the applicant and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board’s website. Your request for

observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below; however, two paper copies are also required. You must also provide a copy of your letter to the applicant.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor status is eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this proceeding; and if you represent a group, a description of the group and its membership.

The Board may choose to hold either a written or an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reasons for that preference. The Board will not hold a written hearing if a party satisfies the Board that there is good reason for holding an oral hearing. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

How to Contact Us

In responding to this Notice, please include Board file number EB-2007-0776 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR DO NOT REQUEST TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.

Addresses**The Board:**

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

Attention: Board Secretary

Filings : www.errr.oeb.gov.on.ca
E-mail: Boardsec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

The Applicant:

Newmarket – Tay Power Distribution Ltd.
590 Steven Court
Newmarket ON L3Y 6Z2

Attention: Mr. Iain Clinton
Chief Financial Officer

E-mail: nmhydro@nmhydro.ca

Tel: 905-895-2309
Fax: 905-895-8931

DATED at Toronto, July 21, 2008

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary