



EB-2007-0776

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

AND IN THE MATTER OF an application by Newmarket-Tay
Power Distribution Ltd. for an Order or Orders approving just
and reasonable rates and other service charges for the
distribution of electricity within its Newmarket Service Area,
as of the date of the Ontario Energy Board's Rate Order.

DECISION AND PROCEDURAL ORDER NO. 1

Newmarket-Tay Power Distribution Ltd. ("Newmarket-Tay" or "Applicant") has filed an application with the Ontario Energy Board ("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 charges for electricity distribution within its Newmarket Service Area, to be made effective on the date of the Board's decision on the application.

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's customers within its Newmarket Service Area.

The Board confirms the Vulnerable Energy Consumers Coalition and Energy Probe as intervenors in this proceeding. Both intervenors are eligible to apply for an award of costs under the Board's Practice Direction on Cost Awards, issued February 2003. A list of intervenors with contact information is attached as Appendix A to this Decision and Procedural Order.

The Board is of the view that the majority of the issues in this application can be decided by way of a written hearing. However, after the receipt of the interrogatory responses, the Board may make provision for a technical conference and/or an oral hearing in order to address any issues that the Board feels may benefit from oral examination.

Included in its application, the Applicant has requested the Board to immediately approve on an interim basis, its proposal to revise and reduce the Applicant's Retail Transmission Network Service and Connection rates.

In light of the current timing circumstances of this proceeding, the Board considers it appropriate to declare the Applicant's current rates for the Newmarket Service Area interim effective the date of this Decision and Procedural Order, with the exception of Newmarket-Tay's Retail Transmission Service Network and Connection rates which will be set on an interim basis at the Applicant's proposed levels of rates.

Please be aware that this procedural order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. With the exception of the Newmarket-Tay's Retail Transmission Service Network and Connection rates for the Newmarket Service Area, the current rates are declared interim effective as of the date of this Decision and Procedural Order.
2. Newmarket-Tay's Retail Transmission Service Network and Connection rates for the Newmarket Service Area, attached as Appendix B, are approved, on an interim basis, at levels proposed by the Applicant in this application effective as of the date of this Decision and Procedural Order.
3. Parties, including Board staff, who wish information and material from the Applicant that is in addition to the evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before Friday, September 12, 2008.

4. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than Friday, October 3, 2008.
5. Subject to the responses to the interrogatories, parties, including Board staff, may make written submissions on whether certain issues should be dealt with by way of a technical conference and/or oral hearing. These submissions must be filed with the Board and copied to the Applicant no later than Friday, October 17, 2008. The Applicant may make a written reply to the submissions and file it with the Board no later than Friday, October 25, 2008.
6. All filings to the Board must quote file number EB-2007-0776, be made through the Board's web portal at www.errr.oeb.gov.on.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

DATED at Toronto, August 19, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix “A”

To Decision and Procedural Order No. 1

Newmarket-Tay Power Distribution Ltd. – Newmarket: EB-2007-0776

Intervention List

Newmarket - Tay Power Distribution Ltd.

LIST OF APPLICANTS AND INTERVENORS

2008-08-19

APPLICANT

Newmarket - Tay Power Distribution Ltd.

CONTACT

Mr. Iain Clinton
Newmarket - Tay
590 Steven Court
Newmarket, ON

Tel: 905-953-8548
Fax: 905-895-8931
Email: iclinton@nmhydro.on.ca

INTERVENOR

Energy Probe

David Macintosh
Energy Probe
Consultant
225 Brunswick Avenue
Toronto ON M5S 2M6

Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
Email: DavidMacIntosh@nextcity.com

AND

Randy Aiken
Aiken & Associates
578 Mcnaughton Avenue West
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Tel: 519-351-8624
Fax: 519-351-4331
Email: raiken@xcelco.on.ca

Vulnerable Energy Consumers

Michael Buonaguro
Public Interest Advocacy Centre
34 King Street East
Suite 1102
Toronto ON M5C 2X8

Tel: 416-767-1666
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Email: mbuonaguro@piac.ca

AND

William Harper
Econalysis Consulting Services Inc.
Senior Consultant
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Toronto ON M5C 2X8

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Email: bharper@econalysis.ca

Appendix “B”

To Decision and Procedural Order No. 1

Newmarket-Tay Power Distribution Ltd. – Newmarket: EB-2007-0776

Interim Retail Transmission Service Network and Connection Rates

Class	Type	Unit	\$
Residential	RTR-NSR	\$/kWh	0.0050
	RTR-LTCSR	\$/kWh	0.0048
GS<50	RTR-NSR	\$/kWh	0.0046
	RTR-LTCSR	\$/kWh	0.0044
USL	RTR-NSR	\$/kWh	0.0046
	RTR-LTCSR	\$/kWh	0.0044
GS>50	RTR-NSR	\$/kW	1.8603
	RTR-LTCSR	\$/kW	1.7325
Street Lights	RTR-NSR	\$/kW	1.4030
	RTR-LTCSR	\$/kW	1.3394
Sentinel Lights	RTR-NSR	\$/kW	1.4101
	RTR-LTCSR	\$/kW	1.3674

KEY:

RTR-NSR: Retail Transmission Rate – Network Service Rate

RTR-LTCSR: Retail Transmission Rate – Line and Transformation Connection Service Rate