



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

DECISION AND RATE ORDER

EB-2023-0036

LAKELAND POWER DISTRIBUTION LTD.

Application for rates and other charges to be effective May
1, 2024

BY DELEGATION, BEFORE: Theodore Antonopoulos
Vice President
Major Applications

Month XX, 20XX

1. OVERVIEW

The Ontario Energy Board is approving changes to the rates that Lakeland Power Distribution Ltd. (Lakeland Power) charges to distribute electricity to its customers, effective May 1, 2024.

As a result of this Decision, there will be a monthly total bill increase of \$4.36 for a residential customer consuming 750 kWh. This change does not factor in applicable taxes or the Ontario Electricity Rebate.

DRAFT

2. CONTEXT AND PROCESS

Lakeland Power filed its application on October 10, 2023 under section 78 of the *Ontario Energy Board Act, 1998* and in accordance with Chapter 3 of the OEB's [Filing Requirements for Incentive Rate-Setting Applications](#) (Filing Requirements). The application was based on the Price Cap Incentive Rate-setting (Price Cap IR) option, with a five-year term.

The Price Cap IR option is one of three incentive rate-setting mechanisms (IRM) approved by the OEB.¹ It involves the setting of rates through a cost of service application in the first year and mechanistic price cap adjustments which may be approved through IRM applications in each of the ensuing adjustment years.

The OEB follows a standardized and streamlined process for processing IRM applications filed under Price Cap IR. In each adjustment year of a Price Cap IR term, the OEB prepares a Rate Generator Model that includes, as a placeholder, information from the distributor's past proceedings and annual reporting requirements. A distributor will then review, complete, and include the model with its application, and may update the model during the proceeding to make any necessary corrections or to incorporate new rate-setting parameters as they become available.

Lakeland Power serves approximately 14,000 mostly residential and commercial electricity customers in the Town of Bracebridge, the Town of Huntsville, the Town of Parry Sound, the Town of Sundridge, the Village of Burk's Falls and the Municipality of Magnetawan.

The application was supported by pre-filed written evidence and a completed Rate Generator Model and as required during the proceeding, Lakeland Power updated and clarified the evidence.

¹ Each of these options is explained in the OEB's [Handbook for Utility Rate Applications](#).

3. DECISION OUTLINE

Each of the following issues is addressed in this Decision, together with the OEB's findings.

- Annual Adjustment Mechanism
- Shared Tax Adjustments
- Retail Transmission Service Rates
- Low Voltage Service Rates
- Group 1 Deferral and Variance Accounts
- Group 2 Deferral and Variance Accounts

Instructions for implementing Lakeland Power's new rates and charges are set out in the final section of this Decision.

This Decision does not address rates and charges approved by the OEB in prior proceedings, such as specific service charges² and loss factors, which are out of the scope of an IRM proceeding and for which no further approvals are required to continue to include them on the distributor's Tariff of Rates and Charges.

² Certain service charges are subject to annual inflationary adjustments to be determined by the OEB through a generic order. For example, the Decision and Order EB-2023-0193, issued September 26, 2023 established the adjustment for energy retailer service charges, effective January 1, 2024; and the Decision and Order EB-2023-0194, issued September 26, 2023, established the 2024 Wireline Pole Attachment Charge, effective January 1, 2024.

4. ANNUAL ADJUSTMENT MECHANISM

Lakeland Power has applied to change its rates, effective May 1, 2024, based on a mechanistic rate adjustment using the OEB-approved **inflation minus X-factor** formula applicable to IRM applications. The adjustment applies to distribution rates (fixed and variable) uniformly across all customer classes.³

The components of the Price Cap IR adjustment formula applicable to Lakeland Power are set out in the table below. Inserting these components into the formula results in a 4.65% increase to Lakeland Power's rates: **4.65% = 4.80% - (0.00% + 0.15%)**.

Table 4.1: Price Cap IR Adjustment Formula

Components		Amount
Inflation factor ⁴		4.80%
Less: X-factor	Productivity factor ⁵	0.00%
	Stretch factor (0.00% to 0.60%) ⁶	0.15%

An inflation factor of 4.80% applies to all IRM applications for the 2024 rate year. The X-factor is the sum of the productivity factor and the stretch factor. It is a productivity offset that varies among different groupings of distributors. Subtracting the X-factor from inflation ensures that rates decline in real, constant-dollar terms, providing distributors with a tangible incentive to improve efficiency or else experience declining net income. The productivity component of the X-factor is based on industry conditions over a historical study period and applies to all IRM applications for the 2024 rate year. The stretch factor component of the X-factor is one of five stretch factor groupings established by the OEB, ranging from 0.00% to 0.60%. The stretch factor assigned to any distributor is based on the distributor's total cost performance as benchmarked against other distributors in Ontario. The stretch factor assigned to Lakeland Power is 0.15%, resulting in a rate adjustment of 4.65%.

³ The adjustment does not apply to delivery rates: rate riders, rate adders, low voltage service charges, retail transmission service rates, wholesale market service rate, smart metering entity charges, rural or remote electricity rate protection charge, standard supply service – administrative charge, transformation and primary metering allowances, loss factors, specific service charges (other than the Wireline Pole Attachment charge), and the microFIT charge.

⁴ [OEB Letter, 2024 Inflation Parameters, issued June 29, 2023](#)

⁵ Report of the Ontario Energy Board – “Rate Setting Parameters and Benchmarking under the Renewed Regulatory Framework for Ontario’s Electricity Distributors” EB-2010-0379, December 4, 2013

⁶ Report to the Ontario Energy Board – “Empirical Research in Support of Incentive Rate-Setting: 2022 Benchmarking Update”, prepared by Pacific Economics Group LLC., July 2023

Findings

Lakeland Power's request for a 4.65% rate adjustment is in accordance with the annually updated parameters set by the OEB. The adjustment is approved, and Lakeland Power's new rates shall be effective May 1, 2024.

DRAFT

5. SHARED TAX ADJUSTMENTS

In any adjustment year of an IRM term, a change in legislation may result in a change to the amount of taxes payable by a distributor. The impacts of such legislated tax changes are shared equally between shareholders and customers.^{7 8} The shared tax change amount, whether in the form of a credit or a debit, will be assigned to customer rate classes in the same proportions as the OEB-approved distribution revenue by rate class from the distributor's last cost of service proceeding.

The application identifies a total tax decrease of \$60,194, resulting in a shared amount of \$30,097 to be refunded to ratepayers.

Findings

The OEB approves the tax sharing refund of \$30,097.

The amount shall be refunded through a fixed monthly rate rider for residential customers, and through riders calculated on a volumetric basis for all other customers over a one-year period from May 1, 2024, to April 30, 2025.

⁷ On July 25, 2019, the OEB issued a [letter](#) providing accounting guidance with respect to changes in capital cost allowance (CCA) rules. The guidance provides that impacts from changes in CCA rules will not be assessed in IRM proceedings, and that any request for disposition of amounts related to CCA changes is to be deferred to the distributor's next cost of service rate proceeding. A distributor's request for disposition of shared tax adjustment amounts in an IRM application should, therefore, be comprised only of impacts for tax changes unrelated to CCA.

⁸ Chapter 3 Filing Requirements, section 3.2.8, notes that the Rate Generator Model reflects the change in the Small Business Deduction phase-out for 2024 rates.

6. RETAIL TRANSMISSION SERVICE RATES (RTSRs)

Lakeland Power is fully embedded within Hydro One Network Inc. (Hydro One) 's distribution system.

To recover its cost of transmission services, Lakeland Power requests approval to adjust the RTSRs that it charges its customers in accordance with the host distributor RTSRs currently in effect.

Findings

Lakeland Power's proposed adjustment to its RTSRs is approved.

The RTSRs have been adjusted based on the current OEB-approved host-RTSRs.⁹

UTRs and host-RTSRs are typically approved annually by the OEB. In the event that the OEB updates the host-RTSRs during Lakeland Power's 2024 rate year, any resulting differences (from the prior-approved host-RTSRs) will be captured in Retail Settlement Variance Accounts 1584 (Retail Transmission Network Charge) and 1586 (Retail Transmission Connection Charge).

⁹ EB-2023-0030 Partial Decision and Order, December 14, 2023

7. LOW VOLTAGE SERVICE RATES

Lakeland Power is fully embedded within Hydro One's distribution system.

Low voltage transactions, which are not part of the wholesale electricity market, are charged to a distributor by its host distributor. To recover the cost of its low voltage transactions, Lakeland Power requests approval to adjust the Low Voltage Service Rates (LV Service Rates) that it charges its customers as part of this IRM application. The adjusted LV Service Rates are based on the current OEB-approved host distributor sub-transmission rates and the most recent demand data for low voltage transactions.

Findings

Lakeland Power's proposed adjustment to its LV Service Rates is approved. The LV Service Rates have been updated based on the current OEB-approved host distributor's sub-transmission rates.¹⁰ In the event that the OEB updates the approved distributor sub-transmission rates during Lakeland Power's 2024 rate year, any resulting differences are to be captured in Account 1550 LV Variance Account.

¹⁰ EB-2023-0030 Partial Decision and Order, December 14, 2023

8. GROUP 1 DEFERRAL AND VARIANCE ACCOUNTS

In each year of an IRM term, the OEB will review a distributor's Group 1 deferral and variance accounts to determine whether those balances should be disposed of. OEB policy states that Group 1 account balances should be disposed of if they exceed, on a net basis (as a debit or credit), a pre-set disposition threshold of \$0.001 per kWh, unless a distributor justifies why balances should not be disposed of.¹¹ If the net balance does not exceed the threshold, a distributor may still request disposition.¹²

The 2022 year-end net balance for Lakeland Power's Group 1 accounts eligible for disposition, including interest projected to April 30, 2024, is a debit of \$325,488, and pertains to variances accumulated during the 2022 calendar year. This amount represents a total claim of \$0.0011 per kWh, which exceeds the disposition threshold. Lakeland Power has requested disposition of this amount over a one-year period.

Included in the Group 1 accounts are certain variances related to costs that are paid for by a distributor's customers on different bases, depending on their classification. Namely, "Class A" customers, who participate in the Industrial Conservation Initiative, pay for Global Adjustment (GA) charges based on their contribution to the five highest Ontario demand peaks over a 12-month period. "Class B" customers pay for GA charges based on their monthly consumption, either as a standalone charge or embedded in the Regulated Price Plan (RPP).¹³ A similar mechanism applies to Class A and Class B customers for Capacity Based Recovery (CBR) charges.¹⁴ The balance in the GA variance account is attributable to non-RPP Class B customers and is disposed of through a separate rate rider. The balance in the CBR Class B variance account is attributable to all Class B customers.

Lakeland Power had one or more Class A customers during the period in which variances accumulated so it has applied to have the balance of the CBR Class B variance account disposed of through a separate rate rider for Class B customers to ensure proper allocation between Class A and Class B customers.

During the period in which variances accumulated, Lakeland Power had one or more customers transition between Class A and Class B. Under the general principle of cost causality, customer groups that cause variances that are recorded in Group 1 accounts

¹¹ Report of the OEB – "Electricity Distributors' Deferral and Variance Account Review Initiative (EDDVAR)." EB-2008-0046, July 31, 2009

¹² OEB letter, "Update to the Electricity Distributors' Deferral and Variance Account Review ("EDDVAR Report"), released July 2009 (EB-2008-0246)", issued July 25, 2014

¹³ For additional details on the Global Adjustment charge, refer to the Independent Electricity System Operator (IESO)'s [website](#).

¹⁴ All Class B customers (RPP and non-RPP) pay the CBR as a separate charge based on their monthly consumption. For additional details on the CBR for Class A customers, refer to the IESO's [website](#).

should be responsible for paying (or receiving credits) for their disposal. Lakeland Power has proposed to allocate a portion of the GA and CBR Class B balances to its transition customers, based on their customer-specific consumption levels.¹⁵ The amounts allocated to each transition customer are proposed to be recovered (or refunded, as applicable), by way of 12 equal monthly installments.

Findings

The balances proposed for disposition reconcile with the amounts reported as part of the OEB's *Electricity Reporting and Record-Keeping Requirements*.

The OEB approves the disposition of a debit balance of \$325,488 as of December 31, 2022, including interest projected to April 30, 2024, for Group 1 accounts on a final basis.

Table 8.1 identifies the principal and interest amounts, which the OEB approves for disposition.

Table 8.1: Group 1 Deferral and Variance Account Balances

Account Name	Account Number	Principal Balance (\$) A	Interest Balance (\$) B	Total Claim (\$) C=A+B
LV Variance Account	1550	139,626	9,279	148,905
Smart Metering Entity Charge Variance Account	1551	(43,575)	(3,123)	(46,698)
RSVA - Wholesale Market Service Charge	1580	77,326	6,580	83,906
Variance WMS - Sub-account CBR Class B	1580	(17,027)	(1,321)	(18,348)
RSVA - Retail Transmission Network Charge	1584	293,692	23,583	317,275
RSVA - Retail Transmission Connection Charge	1586	104,289	8,473	112,762

¹⁵ 2024 IRM Rate Generator Model, Tab 6.1a "GA Allocation" and Tab 6.2a "CBR B_Allocation"

RSVA - Power	1588	(167,475)	(11,514)	(178,988)
RSVA - Global Adjustment	1589	(87,622)	(5,704)	(93,326)
Total for Group 1 accounts		299,235	26,254	325,488

The balance of each of the Group 1 accounts approved for disposition shall be transferred to the applicable principal and carrying charge sub-accounts of Account 1595. Such transfer shall be pursuant to the requirements specified in the *Accounting Procedures Handbook for Electricity Distributors*.¹⁶ The date of the transfer must be the same as the effective date for the associated rates, which is generally the start of the rate year.

The OEB approves these balances to be disposed of through final rate riders, charges, or payments, as calculated in the Rate Generator Model. The final rate riders, charges, and payments, as applicable, will be in effect over one year from May 1, 2024 to April 30, 2025.¹⁷

¹⁶ Article 220, Account Descriptions, Accounting Procedures Handbook for Electricity Distributors, effective January 1, 2012

¹⁷ 2024 IRM Rate Generator Model Tab 6.1 GA, Tab 6.1a GA Allocation, Tab 6.2 CBR B, Tab 6.2a CBR B_Allocation and Tab 7 Calculation of Def-Var RR

9. GROUP 2 DEFERRAL AND VARIANCE ACCOUNTS

In 2020, the OEB established Account 1509, Impacts Arising from the COVID-19 Emergency, Sub-account Forgone Revenues from Postponing Rate Implementation. This sub-account was to be used to record forgone revenues due to the postponement of rate implementation as a result of COVID-19.¹⁸

Lakeland Power has applied for the disposition of a debit balance of \$621 from Account 1509 over a one-year period, from May 1, 2024 to April 30, 2025.

Findings

The OEB approves the disposition of a debit balance of \$621 from Account 1509, Impacts Arising from the COVID-19 Emergency, Sub-account Forgone Revenues from Postponing Rate Implementation, on a final basis.

As the Account 1509 amount does not produce a rate rider in one or more rate classes, the OEB directs Lakeland Power to transfer the debit balance of \$621 into Account 1595 (2024).¹⁹

The OEB notes that the disposition of this sub-account of Account 1509 is mechanistic in nature, as it tracks the difference between the actual monthly forgone revenues/amounts and the amounts actually collected by the rate riders.²⁰

¹⁸ OEB Letter dated August 6, 2020, Accounting Order for the Establishment of a Sub-account to Record Impacts Arising from the COVID-19 Emergency for Forgone Revenues from Postponing Rate Implementation

¹⁹ OEB Guidance for Electricity Distributors with Forgone Revenues Due to Postponed Rate Implementation from COVID-19, August 6, 2020, p. 5

²⁰ Ibid, Appendix A.

10. IMPLEMENTATION

This Decision is accompanied by a Rate Generator Model, applicable supporting models, and a Tariff of Rates and Charges (Schedule A). The Rate Generator Model also incorporates the rates set out in Table 10.1.

Table 10.1: Regulatory Charges

Rate	per kWh
Rural or Remote Electricity Rate Protection (RRRP)	\$0.0014
Wholesale Market Service (WMS) billed to Class A and B Customers	\$0.0041
Capacity Based Recovery (CBR) billed to Class B Customers	\$0.0004

Each of these rates is a component of the “Regulatory Charge” on a customer’s bill, established annually by the OEB through a separate, generic order. The RRRP and WMS rates were set by the OEB on December 7, 2023.²¹

The Smart Metering Entity Charge is a component of the “Distribution Charge” on a customer’s bill, established by the OEB through a separate order. The Smart Metering Entity Charge was set by the OEB at \$0.42 on September 8, 2022.²²

²¹ EB-2023-0268, Decision and Order, December 7, 2023

²² EB-2022-0137, Decision and Order, September 8, 2022

11. ORDER

THE ONTARIO ENERGY BOARD ORDERS THAT

1. The Tariff of Rates and Charges set out in Schedule A of this Decision and Rate Order is approved effective May 1, 2024 for electricity consumed or estimated to have been consumed on and after such date. Lakeland Power Inc. shall notify its customers of the rate changes no later than the delivery of the first bill reflecting the new rates.

DATED at Toronto, Month, Date, Year

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar

SCHEDULE A
DECISION AND RATE ORDER
LAKELAND POWER DISTRIBUTION LTD.
TARIFF OF RATES AND CHARGES
EB-2024-0036
MONTH XX, 20XX