



EB-2011-0157

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

Canadian Niagara Power Inc.

Canadian Niagara Power Inc. ("CNPI") has applied to the Ontario Energy Board (the "Board") for permission to decrease its delivery charges beginning May 1, 2012. CNPI operates in three service areas: Port Colborne, Fort Erie and Gananoque (Eastern Ontario Power). This application pertains to the Port Colborne service area only. The application was filed on November 10, 2011 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B), under the Board's guidelines for 3rd Generation Incentive Regulation Mechanism which provides for a mechanistic and formulaic adjustment to distribution rates between cost of service applications.

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. If the application is fully approved, the monthly bill for a Residential customer who consumes 800 kWh per month would decrease by about \$6.00. The monthly bill for a General Service customer consuming 2,000 kWh per month and having a monthly demand of less than 50 kW would decrease by about \$10.54. The proposed changes to the Delivery charges are separate from other potential changes to the electricity bills.

For additional information on billing items visit the Consumer page of the Board's website at <http://www.ontarioenergyboard.ca>.

The Board has assigned the application file number EB-2011-0157. The Board's decision on this application may have an effect on all of CNPI's customers.

How to see CNPI's Application

To see a copy of the application, go to the Consumer page of the Board's website and enter the case number EB-2011-0157 in the "Find an Application" box. A copy can also be seen at the Board's office and at the applicant's office at the addresses indicated below, or on the applicant's website <http://www.cnpower.com/>.

Written Hearing

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this notice.

How to Participate

You may participate in this proceeding by requesting either intervenor or observer status, or by submitting a letter of comment:

1. **Intervenors** participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at an oral hearing). You may request intervenor status by sending a letter of intervention to the Board and copying the Applicant no later than **10 days** from the publication or service date of this notice. The letter of intervention must include:
 - a. A description of how you are, or may be, affected by the outcome of this proceeding;
 - b. If you represent a group, a description of the group and its membership;

The Board does not intend to award costs in this proceeding as the applicant has only made proposals of a mechanistic nature that are within the Board's guidelines.

2. **Observers** do not participate actively in the proceeding but receive documents issued by the Board in the proceeding. (There is no fee for observers to receive documents issued by the Board.) You may request Observer status by sending a

request to the Board no later than **10 days** from the publication or service date of this notice.

- 3. Letters of Comment** are to be sent to the Board no later than **30 days** from the publication or service date of this notice. All letters of comment will be placed on the public record, subject to the privacy terms for personal information stated below. This means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Interrogatories and Submissions

Board-approved intervenors or Board staff wishing information and material from CNPI 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 CNPI on or before **January 13, 2012**. CNPI shall file with the Board complete responses to the interrogatories and deliver them to all intervenors no later than **January 27, 2012**.

Written final submissions by an intervenor or Board staff must be filed with the Board, and copied to all other parties, by **February 10, 2012**. If CNPI wishes to respond to the submissions, its written response must be filed with the Board and delivered to all other parties by **February 24, 2012**.

YOUR PERSONAL INFORMATION IS TREATED DIFFERENTLY DEPENDING ON HOW YOU CHOOSE TO PARTICIPATE IN THE HEARING:

- **Intervenors** - everything you file with the Board, including your name and contact information, will be placed on the public record (i.e. the public file and the Board's website).
- **Letters of comment or observers** - the Board removes any personal (i.e. not business) contact information from the letter of comment or the request for observer status (i.e., address, fax number, phone number, and e-mail address of the individual), however, your name and the content of the letter of comment or of the request for observer status will become part of the public record.

Filing Information for Intervenors

If you already have a user ID, please submit your intervention request through the Board's web portal at <https://www.errr.ontarioenergyboard.ca>. Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at <http://www.ontarioenergyboard.ca/OEB/Industry>, e-Filing Services.

The Board also accepts interventions by e-mail, at the address below. Additionally, two paper copies must be submitted to the address set out below. Those who do not have internet access are required to submit their intervention request on a CD in PDF format, along with two paper copies.

Need more information?

For more information on how to participate please click on "Get Involved" under the "OEB and You" menu on the Consumer page of the Board's website, or call the Board at 1-888-632-6273 (toll free).

How to Contact the Board or Canadian Niagara Power Inc.

Please reference Board file number EB-2011-0157 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.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING A LETTER IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

ADDRESSES

The Board:

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings:
<https://www.errr.ontarioenergyboard.ca/>

E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

The Applicant:

Canadian Niagara Power Inc.
1130 Bertie St.
P.O. Box 1218
Fort Erie ON L2A 5Y2
Attention: Mr. Douglas Bradbury

E-mail: doug.bradbury@cnpower.com
Tel: 905-994-3634
Fax: 905-994 2207

DATED at Toronto, November 30, 2011

Ontario Energy Board

Original Signed By

Kirsten Walli
Board Secretary