



EB-2010-0307

NOTICE OF APPLICATION AND WRITTEN HEARING

Application by Canadian Niagara Power Inc., Grimsby Power Inc., Westario Power Inc., and Algoma Power Inc. for an Exemption from their Mandated Time-of-Use Pricing Date

The Application

Canadian Niagara Power Inc. ("CNPI") filed an application dated November 9, 2010 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B) for a licence amendment on behalf of all FortisOntario Utilities, including CNPI – Fort Erie, CNPI – Port Colbourne, CNPI – Gananoque, Algoma Power Inc., Grimsby Power Inc., and Westario Power Inc. (collectively "the applicants" or "FortisOntario Utilities") granting an exemption in relation to the mandated date for the implementation of Time-of-Use ("TOU") pricing rates for Regulated Price Plan consumers. The application will be decided by the Counsel, Special Projects, who has been delegated this authority pursuant to section 6 of the *Ontario Energy Board Act*. The Counsel, Special Projects, does not intend to provide for an award of costs when deciding this application.

Mandated Meter Enrollment Testing and Time-of-Use Pricing

On August 4, 2010 the Ontario Energy Board issued a determination under Section 1.2.1 of the Standard Supply Service Code to require the implementation of TOU pricing for Regulated Price Plan customers. The determination established mandatory TOU implementation dates for each electricity distributor. The FortisOntario Utilities are requesting an exemption from their mandatory TOU dates due to an upgrade of their common customer information billing system hosted by CNPI and an upgrade to their smart meter software system. CNPI Fort Colbourne and Fort Erie wish to be exempt

from their current TOU date of December 2011 and request a new date of January 2012. CNPI Gananoque is not requesting a new date. Grimsby Power Inc. and Westario Power Inc. wish to be exempt from their September 2011 TOU date and request a new TOU date of December 2011. Due to Algoma Power Inc.'s recent acquisition by FortisOntario Inc. they require a lengthier process to transition to the customer information billing system and implement TOU pricing. Algoma Power Inc. has requested an exemption from their June 2011 TOU date and a new date of June 2012.

How to see the Application

A copy of the application and related documents are available for inspection at the Board's offices in Toronto and on its website, www.oeb.gov.on.ca. A copy can also be viewed at Canadian Niagara Power Inc., Grimsby Power Inc., Westario Power Inc., and Algoma Power Inc.'s office at the addresses indicated below and on its website.

How to Participate in the Hearing

The application will be decided by way of written hearing unless a party satisfies the Board that there is good reason for not holding a written hearing. If you object to a written hearing for this application, 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 by **January 3, 2011**.

Any parties who wish information and material from the applicant that is in addition to the applicant's pre-filed evidence 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 **January 7, 2011**. Where possible, the questions should specifically reference the pre-filed evidence. The applicant shall file with the Board complete responses to the interrogatories and deliver them to any interested parties in the proceeding no later than **January 14, 2011**.

Anyone who wishes to make a submission on the application must file that written submission with the Board and deliver it to the applicant by **January 21, 2011**. If the applicant wishes to respond to the submission(s), the written response must be filed with the Board and delivered to all parties who made submissions by **January 28, 2011**. All written submissions sent to the Board will be placed on the public record. The written submissions will be available for viewing at the Board's offices and will be placed on the Board's website.

If the written submission is from a private citizen (i.e., not a lawyer representing a client, not a consultant representing a client or organization, not an individual in an organization that represents the interests of consumers or other groups, and not an individual from a regulated entity), before placing the written submission on the public record, the Board will remove any personal (i.e., not business) contact information from the written submission (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the written submission will become part of the public record.

As stated elsewhere in this notice, you must provide a complete copy of your written submission (including your name, contact information, and everything written in the submission) to the applicant.

How to File Documents with the Board

You must forward two paper copies, and if possible, an electronic copy in Word format and searchable PDF format, of your written submission to the Board and one copy to the applicant. All submissions must quote file number EB-2010-0307 and clearly state the sender's name, postal address, telephone number, fax number and e-mail address. 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 Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING WRITTEN SUBMISSIONS 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
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)
Fax: 416-440-7656
E-mail: Boardsec@oeb.gov.on.ca

The Applicants

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Algoma Power Inc.
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Attention: Douglas Bradbury

Tel: 905-871-0330
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And

Grimsby Power Inc.
231 Roberts Rd.
Grimsby, ON L3M 5N2
Attention: Douglas Curtiss

Tel: 905-945-5437
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And

Westario Power
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DATED at Toronto, December 17, 2010

Ontario Energy Board

Original signed by

Kirsten Walli
Board Secretary