



**EB-2007-0664**

**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 North Bay Hydro Distribution Limited seeking an order to make changes to its Conservation and Demand Management plan;

**AND IN THE MATTER OF** an application by North Bay Hydro Distribution Limited under section 21(4)(b) of the *Ontario Energy Board Act, 1998*, seeking to dispose of the proceeding without a hearing.

**BEFORE:** Gordon Kaiser  
Presiding Member and Vice Chair

Cathy Spoel  
Member

### **DECISION AND ORDER**

North Bay Hydro Distribution Limited ("North Bay" or the "Applicant") filed an application, dated June 14, 2007 for an order seeking an extension to incremental third tranche spending in conjunction with its approved Conservation and Demand Management ("CDM") plan. North Bay has also requested, pursuant to subsection 21(4)(b) of the *Ontario Energy Board Act, 1998* (the "Act") that the Ontario Energy Board (the "Board") dispose of the proceeding without a hearing. The Board assigned file number EB-2007-0664 to this application.

On March 16, 2005, North Bay was granted approval of its CDM plan. The total approved budget for North Bay's CDM plan is \$1,274,500.

North Bay seeks an extension of the completion date for incremental third tranche CDM expenditures (RP-2005-0020/EB-2005-0340) from September 30, 2007 to April 30, 2008.

The Applicant stated that they are working with interested customers on Commercial, Industrial and Institutional Demand Management activities that remains incomplete. North Bay estimates the remaining incremental third tranche funds are approximately \$545,000. The Commercial, Industrial and Institutional Demand Management activities are an approved program from the Order of March 16, 2005.

North Bay has also requested that the Board dispose of this matter without a hearing pursuant to section 21(4)(b) of the Act. Section 21(4)(b) of the Act states that the Board may dispose of a proceeding without a hearing if the Board determines that *"no person, other than the applicant, appellant or licence holder will be adversely affected in a material way by the outcome of the proceeding and the applicant, appellant or licence holder has consented to disposing of a proceeding without a hearing."*

North Bay issued public notice of its original CDM application (RP-2004-0203 / EB-2005-0204) as directed by the Board. There were no intervenors in the application.

The Board approves the deadline extension to complete CDM activities to April 30, 2008 as proposed by North Bay.

**THE BOARD ORDERS THAT:**

North Bay Hydro Distribution Limited is granted an extension to the completion date of third tranche CDM activities to April 30, 2008.

**DATED** at Toronto, August 23, 2007

**ONTARIO ENERGY BOARD**

*Original signed by*

Peter O'Dell  
Assistant Board Secretary