

THE BOARD OF COMMISSIONERS
OF PUBLIC UTILITIES OF NEW BRUNSWICK

IN THE MATTER OF an Application by New Brunswick System Operator for the Approval of a Change to the Energy Imbalance Pricing Provisions of the Open Access Transmission Tariff, as approved by the Board.

ORDER

WHEREAS, New Brunswick System Operator (“NBSO”) has applied to the Board of Commissioners of Public Utilities (“the Board”) by Application dated the 6th day of October 2005 in connection with the approval of a change to the current pricing for Energy Imbalances, as approved by the Board effective May 1, 2005. The change requested is to revise the pricing for energy imbalance services so as to settle all energy imbalances at the New Brunswick market’s Final Hourly Marginal Cost (“FHMC”), rather than at the current pricing of:

- the lesser of the FHMC and the Keswick node price for excess energy provided; and
- the greater of the FHMC and the Keswick node price for shortfalls in energy.

AND WHEREAS, NBSO is required, pursuant to Section 111 of the *Electricity Act*, Chapter E-4.6 RSNB (“the Act”) to make Application to the Board before charging or changing any charge, rate or toll or any Tariff with respect to transmission services or ancillary services;

AND WHEREAS, NBSO has applied to this Board to review the Application by way of a written proceeding.

NOW THEREFORE IT IS ORDERED THAT:

- (a) A Pre-Hearing Conference shall be held, if necessary, in the Victoria Room at the Delta Fredericton Hotel, 225 Woodstock Road, Fredericton, New Brunswick, on Friday the 4th of November, 2005 commencing at 10:00 o’clock in the forenoon, when and where Intervenors and NBSO should attend and make representations as to their preference for a written or oral hearing and as to other relevant matters. If no intervenors indicate in their notice of intervention that they wish an oral hearing, the Pre-Hearing Conference will not be held, but rather, the normal business conducted at same will be done by email.
- (b) A copy of the Filing Memorandum, the Application, a copy of the Board’s Order and NBSO’s Evidence will be placed on file on Wednesday, October 12, 2005 for examination by interested parties during normal business hours, in the offices of this Board noted below and in the office of NBSO located at 77 Canada Street, Fredericton, New Brunswick, E3B 5G4, as well as the NBSO Website at www.nbso.ca

- (c) Anyone intending to intervene in the energy imbalance pricing provisions of the Open Access Transmission Tariff, must notify in writing both the Board at the address below and the NBSO to the attention of Mr. Kevin Roherty, Corporate Secretary and General Counsel, P.O. Box 2020, Fredericton, New Brunswick, E3B 5G4, tel. (506) 458-4289, or by email to kevin.roherty@nbso.ca, before noon on Tuesday, the 1st of November, 2005, stating whether they wish to have formal or informal status and providing the reason for the nature of the proposed intervention, as well as their preference for a written or oral hearing and the language of preference, together with contact numbers, including telephone, mailing address, fax, and email, if available.
- (d) The attached Notice, in respect of the Application, be published in the form or substantially in the form attached hereto marked "A", in either the English or French language as may be appropriate having regard to the principal language of publication, once in each of the following newspapers:

Dailies

Times-Transcript	Moncton
L'Acadie Nouvelle	Caraquet
The Telegraph Journal	Saint John
The Daily Gleaner	Fredericton

on or before the 12th day of October, 2005.

DATED at the City of Saint John this 7th day of October, 2005.

BY THE BOARD

Lorraine R. Légère
Secretary
New Brunswick Board of
Commissioners of Public Utilities
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