

MANITOBA) Order No. 51/03
THE PUBLIC UTILITIES BOARD ACT) March 31, 2003

BEFORE: G. D. Forrest, Chairman
R. A. Mayer, Q.C., Vice Chairman
Dr. K. Avery Kinew, Member

**AN INTERIM EX PARTE ORDER TO
DEFER THE IMPLEMENTATION OF
BOARD ORDER 7/03 PENDING CONSIDERATION OF AN APPLICATION BY
MANITOBA HYDRO TO VARY ORDER 7/03**

Background

On February 3, 2003 the Public Utilities Board (the “Board”) issued Order 7/03 with respect to a filing by Manitoba Hydro (“Hydro”) which provided an information update regarding financial results, forecasts, methodologies, processes and other matters relating to sales rates charged by Hydro.

On March 19, 2003, Hydro filed an application with the Board, pursuant to sub-section 44(3) of *The Public Utilities Board Act*, to review and vary certain directives contained in Order 7/03.

Included in the directives in Order 7/03, and in the directives that Hydro seeks to review and vary, is the requirement for Hydro to file, for Board approval, a revised schedule of rates to be effective April 1, 2003.

Board Findings

The decisions in Order 7/03 were based, in part, on IFF01-1 which was the most current IFF available at the time of the hearing. Hydro has since filed IFF02-1 with the Board, and part of Hydro’s argument in it’s application to vary is that IFF02-1 reflects substantially lower net incomes in the earlier part of the forecast period than that reflected in IFF01-1. There is insufficient time for the Board to conduct a process

leading to the adjudication of Hydro's Application to Review and Vary Order 7/03 prior to the April 1, 2003.

Therefore, in order to allow a fair adjudication of the Application to Vary, and pursuant to Section 45 of *The Public Utilities Board Act*, the Board will stay and suspend the implementation of Order 7/03, on an interim ex parte basis, until further Order of the Board.

IT IS THEREFORE ORDERED THAT:

1. Order 7/03 be and is hereby stayed, on an interim ex parte basis, until a further Order of the Board.
2. The operation and implementation of the Board's directives in Order 7/03, be and are hereby deferred, on an interim ex parte basis, until a further Order of the Board.

"H. M. SINGH"
Acting Secretary

THE PUBLIC UTILITIES BOARD

"G. D. FORREST"
Chairman

Certified a true copy of Order No. 51/03
issued by The Public Utilities Board

Acting Secretary

