



**EB-2013-0115**

**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 Burlington Hydro Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2014.

**BEFORE:** Paula Conboy  
Presiding Member

Emad Elsayed  
Member

## **DECISION AND ORDER ON COST AWARDS**

**July 2, 2014**

### **Background**

Burlington Hydro Inc. (“Burlington Hydro”) filed an application with the Ontario Energy Board (the “Board”) on October 1, 2013 under section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Burlington Hydro charges for electricity distribution, to be effective May 1, 2014.

On December 17, 2013, the Board issued Procedural Order No. 1, granting the Energy Probe Research Foundation (“Energy Probe”), the School Energy Coalition (“SEC”) and the Vulnerable Energy Consumers Coalition (“VECC”) intervenor status and cost award eligibility.

On May 15, 2014, the Board issued its Decision and Rate Order, in which it set out the process for intervenors to file their cost claims, for Burlington Hydro to object to the claims and for intervenors to respond to any objections raised by Burlington Hydro.

The Board received cost claims from Energy Probe, SEC and VECC.

On June 2, 2014, Burlington Hydro filed its response to Energy Probe's and SEC's cost claims and stated that it found a minor discrepancy of \$3.90 with respect to the amount of HST claimed by Energy Probe. Burlington Hydro had no objection to SEC's cost claim.

By another letter dated June 11, 2014, Burlington Hydro stated that it had no objection to VECC's cost claim.

### **Board Findings**

The Board has reviewed all cost claims.

Energy Probe's claim included costs for two consultants to attend the settlement conference, one claiming 11.70 hours and the other 2.00 hours. The Board finds it important to maintain its practice of permitting more than one representative from an intervenor group to attend the settlement conference if they choose to, but limiting the applicant's responsibility to only pay the costs of one representative. The Board will reduce Energy Probe's claim by 2.00 hours and approve 11.70 total hours of attendance at the settlement conference. Energy Probe's claim is, therefore, reduced by \$617.70 (\$580.00 + \$37.70 HST).

The Board notes that VECC claimed costs for three representatives to attend the settlement conference. For the same reason noted above, the Board will approve 13.25 total hours of attendance at the settlement conference, thereby reducing the claim by 4.5 hours or \$1,525.32 (\$1,467.50 + \$57.82 HST).

With the exceptions noted above, the Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. Energy Probe's claim required a further minor reduction due to a calculation error in the total cost claim amount. The Board finds that the claims of SEC and the adjusted claims of Energy Probe and VECC are reasonable and that each of these claims shall be reimbursed by Burlington Hydro.

**THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, Burlington Hydro shall immediately pay the following amounts to the specified intervenors for their costs:
  - Energy Probe Research Foundation \$15,684.39;
  - School Energy Coalition \$14,093.00; and
  - Vulnerable Energy Consumers Coalition \$15,958.28.
  
2. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, Burlington Hydro shall pay the Board's direct and incidental costs for this proceeding immediately upon receipt of the Board's invoice.

**DATED** at Toronto, July 2, 2014

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary