



**Ontario Energy Board
Commission de l'énergie de l'Ontario**

DECISION AND ORDER ON COST

AWARDS

EB-2017-0024

ALECTRA UTILITIES CORPORATION

**Application for electricity distribution rates and other charges
beginning January 1, 2018**

BEFORE: Lynne Anderson
Presiding Member

Allison Duff
Member

June 15, 2018

INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to an Alectra Utilities Corporation (Alectra Utilities) proceeding.

Alectra Utilities filed an application with the OEB on July 7, 2017 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) and under the OEB's Filing Requirements for Incentive Regulation Rate Applications seeking approval for changes to its electricity distribution rates to be effective January 1, 2018.

The OEB granted the following parties intervenor status and cost award eligibility in relation to Alectra Utilities' request for the incremental funding proposals for each of the Brampton, Enersource and PowerStream Rate Zones.

- Association of Major Power Consumers in Ontario (AMPCO)
- Building Owners and Managers Association of Greater Toronto (BOMA)
- Consumers Council of Canada, (CCC)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On May 3, 2018, the OEB issued its Decision and Rate Order in which it set out the process for intervenors to file their cost claims, for Alectra Utilities to object to the claims, and for intervenors to respond to any objections raised by Alectra Utilities.

AMPCO, BOMA, CCC, SEC and VECC filed cost claims.

On May 17, 2018, Alectra Utilities filed a response to the cost claims and noted that it had no specific concerns with the cost claims with the exception of BOMA. Alectra Utilities noted that BOMA had claimed a total of \$95,289.95 in fees, inclusive of HST and was concerned about the costs claimed in two specific areas. First, Alectra Utilities noted that BOMA had claimed \$3,393.39 under the Oral Hearing category, however, no Oral Hearing was held as part of this proceeding and no other intervenors filed claims in this regard. Second, the average number of hours claimed for preparation for the ADR Settlement Conference was 8.42 among the four other intervening parties. BOMA claimed 29.5 hours for preparation, which represents more than three times the average number of hours claimed by other intervenors. Alectra Utilities submitted that a reduction in the number of hours claimed for preparation for the ADR Settlement Conference is warranted and should be set at the same amount as the next highest claim, i.e., 11 hours, as claimed by AMPCO.

Findings

The OEB has reviewed the claims filed by AMPCO, BOMA, CCC, SEC and VECC to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The cost awards for AMPCO, CCC, SEC and VECC are approved.

BOMA is approved for 163.75 hours, a reduction of 91 hours from its claim. The OEB finds the number of hours claimed by BOMA to be excessive in comparison to other intervenors. The OEB is approving more hours for SEC because the OEB finds that SEC took the lead on some of the issues raised in this proceeding. This is evidenced by the submissions of CCC, AMPCO and VECC which reference SEC's submission and highlight that these intervenors worked collaboratively. The OEB finds the value of BOMA's contribution to be no greater than these other intervenors.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Alectra Utilities Corporation shall immediately pay the following amounts to the intervenors for their costs:
 - Association of Major Power Consumers in Ontario \$53,703.89
 - Building Owners and Managers Association of Greater Toronto \$61,210.06
 - Consumers Council of Canada \$47,917.65
 - School Energy Coalition \$71,335.77
 - Vulnerable Energy Consumers Coalition \$23,698.32
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Alectra Utilities Corporation shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto **June 15, 2018**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary