



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

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# **DECISION ON COST ELIGIBILITY**

**EB-2015-0043**

**Rate Design for Commercial and Industrial Electricity Customers**

**By Delegation Before: Brian Hewson**

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**April 1, 2019**

## INTRODUCTION AND SUMMARY

On February 21, 2019, the Ontario Energy Board (OEB) issued a letter and Staff Report to the Board regarding recommendations for commercial and industrial rate design. The OEB identified that cost awards would be available to eligible participants to a maximum of 15 hours for provision of comments and a maximum of 6 hours for preparation for and attendance at the stakeholder information session on March 7, 2019.

The OEB has issued its [decision](#) on March 20, 2019 approving cost eligibility for a number of parties in the EB-2015-0043 consultation. In its decision, the OEB denied cost eligibility to the Ontario CHP Consortium (Consortium) due to a lack of information on its membership and governance structure but invited it to reapply with more information regarding the identified issues. On March 25, 2019, the [Consortium](#) reapplied for cost eligibility providing additional information including about its membership.

This Decision and Order is being issued by the Delegated Authority without holding a hearing pursuant to section 6(4) of the Ontario Energy Board Act, 1998 (Act).

## OEB FINDINGS

The OEB finds that the Consortium is not eligible for costs in the EB-2015-0043 consultation. The OEB has reviewed the additional information provided in the Consortium's reapplication for cost award eligibility and finds that based on the information provided many of the Consortium's members would not be eligible for costs under Section 3.05 of the OEB's Practice Direction on Costs, including; several electricity distributors, a gas distributor and a number of municipalities. The OEB notes that two members of the Consortium, APPrO and BOMA have already been determined to eligible for costs to participate in the consultation. The majority of the other members appear to be commercial entities that are primarily representing their own commercial interest and would not qualify under the Practice Direction.

**DATED** at Toronto April 1, 2019

## ONTARIO ENERGY BOARD

*Original signed by*

Brian Hewson  
Vice President  
Consumer Protection and Industry Policy