



EB-2008-0408

IN THE MATTER OF the *Ontario Energy Board Act 1998*,
S.O. 1998 c.15, Schedule B;

AND IN THE MATTER OF an interim cost claim in the
consultation process to examine issues relating to the
transition to International Financial Reporting Standards.

DECISION ON INTERIM COST CLAIM

On December 23, 2008, the Ontario Energy Board initiated a consultation process to examine issues relating to the transition to International Financial Reporting Standards ("IFRS"). In its letter of that date inviting participation in the consultation, the Board indicated that cost awards would be available to eligible participants under section 30 of the *Ontario Energy Board Act, 1998* for their participation. In its decision dated January 28, 2009, the Board found the following participants to be eligible for a cost award in the consultation:

- Association of Major Power Consumers in Ontario
- Building Owners and Managers Association of the Greater Toronto Area
- Canadian Manufacturers & Exporters
- Consumers Council of Canada
- Energy Probe Research Foundation
- Industrial Gas Users Association
- London Property Management Association
- School Energy Coalition
- Vulnerable Energy Consumers Coalition

In its letter initiating the consultation, the Board noted that it intended to retain the services of a consultant and invited participants requesting cost eligibility to indicate whether costs for a separate expert report should be considered for this consultation. The Board received a letter dated February 5, 2009 from the School Energy Coalition, proposing that the nine eligible participants jointly retain an expert to advise them on the rate implications of IFRS, and in particular the interaction between accounting rules and regulatory policy. In subsequent correspondence, the Industrial Gas Users Association indicated that it would not form part of the group retaining the consultant.

The letter from the School Energy Coalition requested that an interim payment on account to the expert be considered. In its Supplementary Decision on Cost Eligibility dated February 13, 2009, the Board made provision for an interim payment of a cost award for work performed by the expert up to April 17, 2009. On that date, the Board received a cost claim from the School Energy Coalition for the costs of the expert, John Browne, of JT Browne Consulting, for work up to and including April 14, 2009.

The Board has examined the cost claim submitted and finds that the claim is consistent with the Board's Practice Direction on Cost Awards, including the tariff for consultants.

In its letter dated December 23, 2008 initiating the consultation, the Board indicated that costs awarded would be recovered from all rate-regulated electricity and gas distributors, and the Board would use the process set out in section 12 of its *Practice Direction on Cost Awards* to implement the payment of cost awards. Therefore, the Board will pay this interim cost claim and recover the amount from all rate-regulated electricity and gas distributors.

Rate-regulated electricity and gas distributors will have an opportunity to object to this interim cost claim at the time final cost claims are filed for the consultation. The Board requires that the School Energy Coalition include the amount of this interim claim in its total cost claim, indicating that this amount has already been paid. The total claim can then be reviewed along with the claims of the other eligible participants.

DATED at Toronto May 22, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary