



EB-2008-0312

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

AND IN THE MATTER OF a Submission by the Ontario
Power Authority to the Ontario Energy Board for the
review of its proposed expenditure and revenue
requirement for the year 2009.

BEFORE: Paul Vlahos
Presiding Member

Paul Sommerville
Member

Cynthia Chaplin
Member

DECISION AND ORDER ON COST AWARDS

On November 2, 2008 the Ontario Power Authority (“OPA”) filed with the Ontario Energy Board (“Board”) its proposed 2009 expenditure and revenue requirement and fees for review pursuant to subsection 25.21(1) of the *Electricity Act*, 1998. The Board assigned file number EB-2008-0312 to this matter.

The Association of Major Power Consumers in Ontario (“AMPCO”) and Energy Probe Research Foundation (“Energy Probe”) received intervenor status and were deemed eligible to apply for an award of costs in this proceeding.

The Board issued its Decision on the application on April 9, 2009, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by the OPA.

The Board received cost claims from AMPCO and Energy Probe. The OPA, in a letter dated April 23, 2009, commented that the billing rate charged by one of AMPCO's consultants may not be appropriate. Upon review by Board staff, the billing rate in question was found to be within an acceptable range considering the consultant's years of experience.

The Board has reviewed the cost claims and has found that both AMPCO and Energy Probe are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that each party's claims are reasonable and both parties should be fully reimbursed by the OPA.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, the OPA shall immediately pay:
 - AMPCO \$3,247.59; and
 - Energy Probe \$7,578.19.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, the OPA shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, June 11, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary