



EB-2007-0776

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 Newmarket-Tay Power Distribution Ltd. for an Order or Orders approving just and reasonable rates and other service charges for the distribution of electricity within its Newmarket Service Area, as of the date of the Ontario Energy Board's Rate Order.

BEFORE: Paul Vlahos
Presiding Member

Cynthia Chaplin
Member

DECISION AND ORDER ON COST AWARDS

Newmarket – Tay Power Distribution Limited (“Newmarket”) filed an application with the Ontario Energy Board under section 78 of the *Ontario Energy Board Act*, 1998, seeking approval for changes to the rates that Newmarket charges for electricity distribution within its Newmarket Service Area, to be effective as of the date of the Ontario Energy Board's Rate Order. The application was received on July 4, 2008 and the Board has assigned the application File Number EB-2007-0776.

Energy Probe Research Foundation (“Energy Probe”), the School Energy Coalition (“SEC”) and the Vulnerable Energy Consumers Coalition (“VECC”) were granted intervenor status and were found to be eligible to apply for an award of costs.

The Board issued its Decision and Order on the application on April 23, 2009, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Newmarket.

The Board received cost claims from Energy Probe, SEC and VECC. No comments were received from Newmarket.

The Board has reviewed the cost claims and has found that Energy Probe, SEC and VECC 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 all parties will be reimbursed by Newmarket.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Newmarket shall immediately pay:
 - Energy Probe \$18,627.95;
 - SEC \$16,685.01; and
 - VECC \$11,064.87.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Newmarket shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, June 16, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary