



EB-2008-0150

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

AND IN THE MATTER OF cost award eligibility for
interested parties in a consultation process to examine
issues relating to low income consumers.

BEFORE Howard Wetston, QC
Presiding Member and Chair

DECISION ON COST ELIGIBILITY

June 17, 2009

On May 11, 2009 the Board issued a letter announcing the formation of two working groups to complete the work necessary to implement the Financial Assistance and Conservation components of the Low-Income Energy Assistance Program ("LEAP"). The letter requested nominations from parties interested in participating as a member of one or more of the working groups. The letter also requested that parties submitting a nomination indicate whether the nominee wishes to request cost eligibility for participation on one or more of the working groups.

This Decision addresses only those requests for cost eligibility from parties that were selected by Board staff for participation on the working groups. Each nomination was reviewed by Board staff and considered in relation to the guidelines set out for that purpose in the May 11 letter. This Decision also sets out the maximum allowable hours for participation on the working groups.

The Board has received requests for cost eligibility from the following participants that were selected for participation on the working groups:

- City of Toronto;
- Consumers Council of Canada;
- Green Communities Canada;
- Green Energy Coalition (GEC);
- Housing Help Association of Ontario;
- Low Income Energy Network (LIEN);
- Salvation Army Centre of Hope;
- Social Housing Services Corporation (SHSC); and
- Vulnerable Energy Consumers Coalition.

Electricity and gas distributors were given an opportunity to file any objections they might have in relation to the eligibility of the above-noted participants for an award of costs. The Board did not receive any objections from the distributors.

Based on the criteria set out in section 3 of the Board's Practice Direction on Cost Awards (the "Practice Direction"), the Board has determined that the following participants are eligible for an award of costs in this process, subject to satisfying the conditions set out below, where applicable: Salvation Army Centre of Hope; Consumers Council of Canada; Green Communities Canada; Green Energy Coalition (GEC); Housing Help Association of Ontario; Low Income Energy Network (LIEN); Social Housing Services Corporation (SHSC); and, Vulnerable Energy Consumers Coalition.

The Board has determined that the City of Toronto, as the effective owner of an electricity distributor that is represented in this process by the Coalition of Large Distributors, of which it is a member, is not eligible for cost awards.

Parties are reminded that in accordance with section 6.05 of the Board's Practice Direction on Cost Awards, a party will not be compensated for time spent by its employees or officers in preparing for or attending at Board processes.

Cost awards for participation on each of the working groups will be available for a maximum of **12** hours per meeting day, covering preparation, attendance and reporting time.

Further, the Board considers that the hourly limits apply to each eligible party, and not to each individual participant acting on behalf of the eligible party.

The Board will require co-operation among participants with similar interests, and will consider any lack of co-operation when determining the amount of a cost award.

ISSUED at Toronto, June 17, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary