



EB-2008-0232

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 Hydro One
Remote Communities Inc. for an order approving or fixing
just and reasonable rates and other charges for the
distribution of electricity to be effective May 1, 2009.

BEFORE: Cynthia Chaplin
Presiding Member

Paul Sommerville
Member

DECISION AND ORDER ON COST AWARDS

Hydro One Remote Communities Inc. ("Remotes") filed an application with the Ontario Energy Board (the "Board") on August 29, 2008, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that it charges for electricity distribution to be effective May 1, 2009. The Board has assigned the application file number EB-2008-0250.

Energy Probe Research Foundation ("Energy Probe") and Nishnawbe Aski Nation ("NAN") 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 30, 2009, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Remotes.

On May 25, 2009, the Board received cost claims from Energy Probe. Energy Probe claimed a total of 26.5 hours and total costs (including disbursements) of \$7,289.03.

On May 22, 2009, NAN sent a letter to the Board seeking an extension in filing its cost claim. On June 5, 2009, the Board received cost claims from NAN. NAN claimed a total of 70.9 hours and total costs (including disbursements) of \$21,701.42.

No comments were received from Remotes.

Board Findings

The Board has indicated to all intervenors involved in the 2009 cost of service rebasing applications that it will be attentive to cost claims particularly for smaller distributors. This was identified in this proceeding in the Board's Procedural Order No. 1, dated November 17, 2008.

While Remotes is a part of the much larger Hydro One Networks Inc, its revenue requirement must be recovered from its ratepayers and through the Rural and Remote Rate Protection, which supplements the revenue collected from Remotes' ratepayers.

The Board has determined that NAN's cost claim of 70.9 hours is excessive given the breadth and scope of the application and the proceeding. The Board has considered the fact that NAN is a relatively new intervenor to the process and will therefore grant additional hours over those requested by Energy Probe. The Board will allow 36 hours for NAN and will also grant disbursements as claimed.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Remotes shall immediately pay:
 - Energy Probe \$ 7,289.03; and
 - NAN \$11,074.37.

2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Remotes shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, July 3, 2009

ONTARIO ENERGY BOARD

Original Signed By

John Pickernell
Assistant Board Secretary