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BY E-MAIL AND WEB POSTING

September 28, 2009

**To: All Licensed Electricity Distributors
Energy Probe Research Foundation
Association of Major Power Consumers in Ontario**

**Re: Further Cost Claims
Electricity Distributors: Customer Service, Rate Classification and Non-
Payment Risk
Board File Nos.: EB- EB-2007-0722 and EB- 2007-0635**

Background

On June 4, 2007, the Ontario Energy Board (the "Board") commenced a consultation process on the management of customer commodity payment risk by electricity distributors (EB-2007-0635) (the "Risk Management Consultation"). On September 6, 2007, the Board commenced a separate consultation process on issues associated with the provision of service by electricity distributors (EB-2007-0722) (the "Customer Service Consultation"). In a letter dated March 6, 2008, the Board advised interested parties of its determination that issues that were being reviewed as part of the Risk Management Consultation would thereafter be more effectively addressed as part of the Customer Service Consultation.

In its July 10, 2007 Decision on Cost Eligibility, the Board found the following participants to be eligible for an award of costs in the Risk Management Consultation: Energy Probe Research Foundation ("Energy Probe"), London Property Management Association ("LPMA") and the Vulnerable Energy Consumers Coalition ("VECC"). These participants are eligible for an award of costs in relation to the following activities:

- i. The provision of written comments on the June 4, 2007 Board staff Discussion Paper entitled "Electricity Distributors and Management of Customer Commodity Payment Default Risk", to a **maximum of 10 hours** (see the Board's letter dated June 4, 2007).

- ii. The provision of written comments on the March 6, 2008 Board staff Discussion Paper entitled "Electricity Distributors: Customer Service, Rate Classification and Non-Payment Risk", to a maximum of 30 hours.

In its decisions relating to cost eligibility dated October 12, 2007, March 26, 2008 and April 3, 2008, the Board found the following participants to be eligible for an award of costs in the Customer Service Consultation: VECC, the Federation of Rental-Housing Providers of Ontario ("FRPO"), the Building Owners and Managers Association of the Greater Toronto Area ("BOMA"), the Association of Major Power Consumers in Ontario ("AMPCO") and the School Energy Coalition ("SEC"). These participants are eligible for an award of costs in relation to the following activities:

- i. Preparation for and attendance at the October 18, 2007 stakeholder meeting, to a maximum of actual meeting time plus preparation time (limited to 1.5 times actual meeting time).
- ii. The provision of written comments on the March 6, 2008 Board staff Discussion Paper entitled "Electricity Distributors: Customer Service, Rate Classification and Non-Payment Risk", to a maximum of 30 hours.

In a further decision on cost eligibility issued on July 24, 2008, the Board accepted a request from Canadian Manufacturers & Exporters ("CME") for cost eligibility for future stages in this proceeding. CME and others subsequently commented upon the March 10th, 2009 code proposals, but costs for this phase of the consultations will be assessed at a later date.

Cost Claims Submitted

In its correspondence of May 19, 2009, the Board initiated a hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the Act in relation to the eligible activities noted above and in relation to the following participants: VECC, AMPCO, SEC, FRPO, BOMA, LPMA and Energy Probe (collectively, the "eligible participants"). The file number for this hearing is EB-2007-0722. This hearing will not address cost awards in relation to the provision of written comments on the proposed amendments to various codes that were issued on March 10, 2009 in relation to the consolidated Risk Management/Customer Service consultation.

The Board's correspondence indicated that the eligible participants should submit their cost claims by June 9, 2009. Timely cost claims were submitted by VECC, LPMA, SEC, and FRPO and will be reviewed in the forthcoming costs decision.

The Board received late cost claims from AMPCO (dated September 1, 2009), and Energy Probe (dated September 4, 2009). Both AMPCO and Energy Probe explained that there was an oversight in missing the due date for submitting their claims. As these consultations relate to work undertaken over a number of years and the delay in

submitting the cost claims in that context is not material, the Board has determined that it will hear the cost claims filed by AMPCO and Energy Probe. The scope of costs to be awarded at this time will be limited to the consultation phases set out above. The AMPCO claim originally included time for commenting on the March 10th code proposals, but this part was subsequently withdrawn as premature and a revised cost claim filed under the same covering letter. The Board accordingly directs:

1. Distributors will have until **October 13, 2009** to object to any aspect of the costs claimed submitted by Energy Probe for \$1,864.22 and the revised cost claim submitted by AMPCO for \$2,467.50. A copy of the objection must be filed with the Board and one copy must be served on the eligible participant against whose claim the objection is being made.
2. If any distributor objection is filed to cost claim from AMPCO or Energy Probe, the party will have until **October 20, 2009** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the Board and one copy is to be served on the objecting distributor.

Parties must file a paper copy and one electronic copy of their submissions with the Board Secretary by **4:45 pm** on the required dates. The Board requests that interested parties make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format, and to submit their filings through the Board's web portal at www.errr.oeb.gov.on.ca. A user ID is required to submit documents through the Board's web portal. If you do not have a user ID, please visit the "e-filings services" webpage on the Board's website at www.oeb.gov.on.ca, and fill out a user ID password request. Additionally, interested parties are requested to follow the document naming conventions and document submission standards outlined in the document entitled "RESS Document Preparation – A Quick Guide" also found on the e-filing services webpage. If the Board's web portal is not available, electronic copies of filings may be filed by e-mail at boardsec@oeb.gov.on.ca. Those that do not have internet access should provide a CD or diskette containing their filing in PDF format.

All submissions must quote file number **EB-2007-0722** and include your name, address, telephone number and, where available, your e-mail address and fax number.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary