

**Ontario Energy Board**  
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**Commission de l'énergie de l'Ontario**  
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**BY E-MAIL AND WEB POSTING**

September 29, 2009

**To: All Licensed Electricity Distributors  
Association of Major Power Consumers in Ontario  
Consumers Council of Canada  
London Property Management Association  
School Energy Coalition  
Vulnerable Energy Consumers Coalition**

**Re: Notice of Hearing for Cost Awards  
Consultation Process on Electricity Distributors' Deferral and Variance  
Account Review - Board File No.: EB-2008-0046**

### **Background**

On April 1, 2009 the Ontario Energy Board (the "Board") began a consultative process for the development of a policy framework for the review and disposition of deferral and variance accounts for electricity distributors.

In its April 1, 2009 letter, the Board notified interested parties that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to the provision of written comments on the Board staff Discussion paper, to a maximum of 12 hours. The Board stated that any costs awarded would be recovered from all rate-regulated licensed electricity distributors based on their respective distribution revenues. The Board also noted that the rates of licensed distributors Cornwall Street Lighting and Power Company and Dubreuil Forest Products are not currently fixed or approved by the Board, and cost awards will not be recovered from these two distributors.

In its Decision on Cost eligibility dated May 4, 2009, the Board found the following participants to be eligible for a cost award in the consultation:

- Association of Major Power Consumer in Ontario (“AMPCO”);
- Consumers Council of Canada (“CCC”);
- London Property Management Association (“LPMA”);
- School Energy Coalition (“SEC”); and
- Vulnerable Energy Consumers’ Coalition (“VECC”)

### **Notice of Hearing**

The Board is initiating this hearing on its own motion in order to determine the cost awards that may be made in accordance with section 30 of the *Ontario Energy Board Act, 1998* in relation to the provision of written comments on the Board staff Discussion paper on Electricity Distributors’ Deferral and Variance Account Review. The file number for this hearing is **EB-2008-0046**.

The Board intends to proceed by way of written hearing unless a party can satisfy the Board that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the Board no later than **7 days** after the date of this Notice.

Assuming that the Board does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. The eligible parties shall submit their cost claims by **October 13, 2009**. A copy of the cost claim must be filed with the Board. All cost claims received will be posted on the Board’s website and a copy will be forwarded to each licensed electricity distributor. The cost claims must be completed in accordance with section 10 of the Board’s *Practice Direction on Cost Awards* (the “Practice Direction”).
2. Licensed electricity distributors will have until **October 27, 2009** to object to any aspect of the costs claimed. A copy of the objection must be filed with the Board and one copy must be served on the eligible party against whose claim the objection is being made.

3. The eligible party whose cost claim was objected to will have until **November 3, 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.
4. The Board will then issue its decision on cost awards. The Board's costs may also be addressed in the cost awards decision.

Service of cost claims, objections and reply submissions on other parties may be effected by courier, registered mail, facsimile or e-mail.

All submissions in this hearing (i.e., cost claims, objections, or replies) will form part of the public record. Copies of the submissions will be available for inspection at the Board's office and the submissions may be published on the Board's website.

### **Instructions on Filing Materials with the Board**

Parties must file one paper copy and one electronic copy of their submissions with the Board Secretary at the address below by **4:45 pm** on the required dates. All submissions must quote file number **EB-2008-0046** and include your name, address, e-mail address, telephone number, and fax number.

The Board requests that parties make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format (MS Excel for spreadsheets), and to submit their filings through the Board's web portal at [www.errr.oeb.gov.on.ca](http://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](http://www.oeb.gov.on.ca), and fill out a user ID password request. Additionally, 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](mailto:boardsec@oeb.gov.on.ca). Those that do not have internet access should provide a CD or diskette containing their filing in PDF format.

Those that do not have internet access should provide a CD or diskette containing their filing in the requested formats.

**If you do not file a letter objecting to a written hearing or do not participate in the hearing by filing written submissions in accordance with this notice, the Board may proceed without your participation and you will not be entitled to further notice in this proceeding.**

**Ontario Energy Board**

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ISSUED at Toronto, September 29, 2009

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary