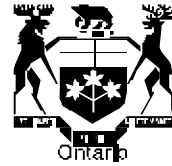


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BY E-MAIL AND WEB POSTING

October 8, 2009

**To: All Licensed Electricity Distributors
All Licensed Natural Gas Distributors
Advocacy Centre for Tenants Ontario
Association of Major Power Consumers in Ontario
Building Owners and Managers Association
Canadian Environmental Law Association
Canadian Manufacturers and Exporters
Consumers Council of Canada
Energy Probe Research Foundation
EnviroCentre
Federation of Rental-housing Providers of Ontario
Green Communities Canada
Green Energy Coalition
Green Light on a Better Environment
Housing Help Association of Ontario
Industrial Gas Users Association
Income Security Advocacy Centre
Kingston Community Legal Clinic
Low-Income Energy Network
London Property Management Association
National Chief's Office on behalf of the Assembly of First Nations
Nipissing First Nation
Ontario Municipal Social Services Association
Pollution Probe Foundation
Salvation Army Centre of Hope
School Energy Coalition
Social Housing Services Corporation
Toronto Environmental Alliance
Vulnerable Energy Consumer's Coalition**

**Re: Revised Notice of Hearing for Cost Awards
Consultation Process on Energy Issues Relating to Low Income Consumers
Board File No.: EB-2008-0150**

Background

On March 10, 2009 the Board issued for comment a “Report of the Board: Low-Income Energy Assistance Program” (the “Report”). The cover letter to the Report indicated that participants that were granted eligibility for cost awards in the Board’s August 15, 2008 Decision on Cost Eligibility (the “August Decision”) would be considered eligible for costs in relation to the provision of comments on the Report, and were not required to submit a further request for cost eligibility. Attachment A of the cover letter indicated that cost awards would be available in relation to the provision of comments on the Report, to a maximum of 15 hours.

No new requests for cost eligibility status were received.

In the August Decision, the Board ordered that the following parties be eligible for cost awards in relation to the provision of comments on the Report: Advocacy Centre for Tenants Ontario, Association of Major Power Producers of Ontario, Building Owners and Managers Association, Canadian Environmental Law Association, Canadian Manufacturers and Exporters, Consumers Council of Canada, Energy Probe Research Foundation, EnviroCentre, Federation of Rental-housing Providers of Ontario, Green Energy Coalition, Green Light on a Better Environment, Industrial Gas Users Association, Income Security Advocacy Centre, Kingston Community Legal Clinic, Low Income Energy Network, London Property Management Association, National Chiefs Office, Nipissing First Nation, Ontario Municipal Social Services Association, Pollution Probe Research Foundation, School Energy Coalition, Toronto Environmental Alliance and the Vulnerable Energy Consumers Coalition (altogether, the “eligible parties”).

On May 11, 2009 the Board issued a letter announcing the formation of two stakeholder working groups for the Board’s consultation on energy issues relating to low income consumers. The letter indicated that cost awards would be available to eligible persons for their participation on the Financial Assistance and/or Conservation Working Group(s), as applicable.

On June 17, 2009, the Board issued a Decision (the “June Decision”) in which the Board ordered that the following parties be eligible for cost awards in relation to their participation on the Financial Assistance and/or Conservation Working Group(s), as

applicable : Salvation Army Centre of Hope; Consumers Council of Canada; Green Communities Canada; Green Energy Coalition; Housing Help Association of Ontario; Low Income Energy Network; Social Housing Services Corporation; and, Vulnerable Energy Consumers Coalition (altogether, the “eligible parties”).

The June Decision indicated that cost awards for participation on each of the working groups would be available for a maximum of 12 hours per meeting day, covering preparation, attendance and reporting time, and that the hourly limits apply to each eligible party, and not to each individual participant acting on behalf of the eligible party.

However, the Board acknowledges that following the working group meetings, members of the Financial Assistance and Conservation working groups were asked to review and comment on the respective draft reports prepared by IndEco Strategic Consulting for each of those working groups. This work was not contemplated when the cost award limits were initially established.

The Board has determined that in addition to the cost award limits set out above, it will allow cost awards for eligible parties in relation to review and comment on the draft report to a maximum of 7 hours for each of the working groups on which an eligible party participated,

As set out in the June Decision, parties are reminded that in accordance with section 6.05 of the Board’s Practice Direction on Cost Awards (the “Practice Direction”), a party will not be compensated for time spent by its employees or officers in preparing for or attending at Board processes.

Parties are also reminded that costs in relation to the Notice of Proposal to Amend Codes that was issued March 10, 2009 should not be included with the costs that are the subject of this Notice of Hearing, as those costs are the subject of a separate proceeding (EB-2007-0722), with its own cost award process.

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 comments on the report and participation on the Financial Assistance and/or Conservation Working Groups as part of the consultation process on

energy issues relating to low income consumers. The file number for this hearing is **EB-2008-0150**.

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 23, 2009**. A copy of the cost claim must be filed with the Board and one copy is to be served on each licensed electricity and natural gas distributor. The cost claims must be completed in accordance with section 10 of the Practice Direction. In addition to the required documentation as set out in the Practice Direction, to expedite the review of cost claims the Board asks eligible parties to submit a cost claim summary as illustrated in Attachments A (Conservation Working Group), B (Financial Assistance Working Group) and C (the Report). Eligible parties that participated on both working groups are asked to submit a separate cost claim summary for each of the working groups on which they participated.
2. Licensed electricity and natural gas distributors will have until **November 6, 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 13, 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'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.

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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.

Parties must file one paper copy and one electronic copy of their submissions with the Board Secretary by **4:30 pm** on the required dates. The Board requests that 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, 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-2008-0150** and include your name, address, e-mail address, telephone number, and fax number.

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.

Yours truly,

Original Signed By

John Pickernell
Assistant Board Secretary

