



EB-2008-0046

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 on an
electricity distributors' deferral and variance account
review initiative.

BEFORE: Ken Quesnelle
Presiding Member

Paul Sommerville
Board Member

DECISION AND ORDER ON COST AWARDS

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 accordance with the Board's May 4, 2009 Decision on Cost Eligibility, the following participants were found to be eligible for an award of costs: the Association of Major Power Consumers in Ontario ("AMPCO"); the Consumers Council of Canada ("CCC"); London Property Management Association ("LPMA"); the School Energy Coalition ("SEC"); and the Vulnerable Energy Consumer's Coalition ("VECC) (collectively, the "eligible participants").

On September 29, 2009 the Board issued a Notice of Hearing for Cost Awards (the "Notice") in relation to the provision of written comments on the Board staff Discussion paper on Electricity Distributors' Deferral and Variance Account Review.

The Board received cost claims from AMPCO, LPMA, SEC and VECC. No cost claim was filed by CCC. No objections to the cost claims were received by the Board from any licensed rate-regulated distributor.

Board Findings on the Cost Claims of the Eligible Participants

The Board notes that the cost claim filed by SEC of 12.20 hours exceeds the maximum number of hours set out in the Board's April 1, 2009 letter. The Board will therefore not award costs to SEC in excess of the 12-hour maximum and has therefore reduced its claim to the stipulated maximum of 12 hours.

The cost claims filed by the other eligible participants are in accordance with the Board's April 1, 2009 letter. The Board finds that each of these eligible participants is entitled to 100% of its reasonably incurred costs of participating in this consultation.

The amount payable by each individual licensed rate-regulated distributor in relation to costs awarded to each eligible participant is listed in Appendix A to this Decision and Order.

Process for Paying the Cost Awards

The Board will use the process set out in section 12 of the Practice Direction to implement the payment of the cost awards. Therefore, the Board will act as a clearing

house for all payments of cost awards relating to this consultation process. Invoices will be issued to distributors at the same time as invoices for cost assessments are made under section 26 of the Act. The practice of the Board is to issue to each distributor one invoice that covers all cost awards payable by that distributor for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations, including this one.

THE BOARD THEREFORE ORDERS THAT:

1. The amounts to be paid by each individual distributor in relation to the costs awarded to each eligible participant are as set out in Appendix A to this Decision and Order.
2. The individual distributors listed in Appendix A to this Decision and Order shall pay the costs awarded to each of the eligible participants as set out in Appendix A.
3. The individual distributors listed in Appendix A to this Decision and Order shall pay the Board's costs of, and incidental to, this consultation.
4. Payment of cost awards and of the Board's costs referred to in paragraphs 2 and 3 shall be made to the Ontario Energy Board in accordance with the invoice issued to the individual distributor, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto, December 3, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

**To the Board's Decision and Order on Cost Awards
Dated December 3, 2009
EB-2008-0046**

Consultation Process on an electricity distributors' deferral and variance account review initiative

Electricity Distribution System Owner/Operator	AMPCO	LPMA	SEC	VECC	Total Intervenor Costs
ATIKOKAN HYDRO INC.	0.62	1.35	0.96	1.37	4.30
ATTAWAPISKAT POWER CORP.	0.60	1.32	0.94	1.34	4.20
BARRIE HYDRO DISTRIBUTION INC.	19.78	43.28	30.74	43.93	137.73
BLUEWATER POWER DISTRIBUTION CORP.	11.12	24.34	17.29	24.71	77.46
BRANT COUNTY POWER INC.	4.16	9.10	6.46	9.23	28.95
BRANTFORD POWER INC.	10.75	23.53	16.71	23.88	74.87
BURLINGTON HYDRO INC.	19.44	42.54	30.22	43.19	135.39
CAMBRIDGE AND NORTH DUMFRIES HYDRO INC.	14.99	32.80	23.29	33.29	104.37
CANADIAN NIAGARA POWER INC.	10.32	22.60	16.05	22.94	71.91
CENTRE WELLINGTON HYDRO LTD.	1.74	3.80	2.70	3.86	12.10
CHAPLEAU PUBLIC UTILITIES CORP.	0.40	0.89	0.63	0.90	2.82
CHATHAM-KENT HYDRO INC.	9.66	21.14	15.02	21.46	67.28
CLINTON POWER CORP.	0.37	0.81	0.58	0.82	2.58
COLLUS POWER CORP.	3.31	7.24	5.14	7.35	23.04
COOPERATIVE HYDRO EMBRUN INC.	0.42	0.93	0.66	0.94	2.95
DUTTON HYDRO LTD.	0.09	0.19	0.13	0.19	0.60
E.L.K. ENERGY INC.	2.66	5.82	4.14	5.91	18.53
ENERSOURCE HYDRO MISSISSAUGA INC.	81.68	178.76	126.95	181.46	568.85
ENWIN POWERLINES LTD.	30.98	67.81	48.16	68.83	215.78
ERIE THAMES POWERLINES CORP.	5.26	11.51	8.18	11.69	36.64
ESPANOLA REGIONAL HYDRO DISTRIBUTION CORP.	0.87	1.90	1.35	1.93	6.05
ESSEX POWERLINES CORP.	6.90	15.11	10.73	15.34	48.08
FESTIVAL HYDRO INC.	6.58	14.40	10.23	14.61	45.82
FORT ALBANY POWER CORP.	0.39	0.85	0.60	0.86	2.70
FORT FRANCES POWER CORP.	0.98	2.15	1.53	2.18	6.84
GREAT LAKES POWER LTD.	9.15	20.03	14.23	20.33	63.74
GREATER SUDBURY HYDRO INC.	14.91	32.64	23.18	33.13	103.86
GRIMSBY POWER INC.	2.35	5.13	3.65	5.21	16.34

Consultation Process on an electricity distributors' deferral and variance account review initiative

Electricity Distribution System Owner/Operator	AMPCO	LPMA	SEC	VECC	Total Intervenor Costs
GUELPH HYDRO ELECTRIC SYSTEMS INC.	16.64	36.41	25.86	36.96	115.87
HALDIMAND COUNTY HYDRO INC.	8.43	18.46	13.11	18.74	58.74
HALTON HILLS HYDRO INC.	5.95	13.02	9.25	13.22	41.44
HORIZON UTILITIES CORPORATION	60.05	131.42	93.35	133.41	418.23
HYDRO HAWKESBURY INC.	0.86	1.88	1.34	1.91	5.99
HEARST POWER DISTRIBUTION COMPANY LTD.	0.63	1.39	0.99	1.41	4.42
HYDRO 2000 INC.	0.17	0.38	0.27	0.38	1.20
HYDRO ONE BRAMPTON NETWORKS INC.	43.39	94.95	67.45	96.39	302.18
HYDRO ONE NETWORKS INC.	632.36	1,383.87	983.01	1,404.94	4,404.18
HYDRO OTTAWA LTD.	87.91	192.39	136.65	195.30	612.25
INNISFIL HYDRO DISTRIBUTION SYSTEMS LTD.	4.64	10.16	7.21	10.31	32.32
KASHECHEWAN POWER CORP.	0.36	0.78	0.55	0.79	2.48
KENORA HYDRO ELECTRIC CORPORATION LTD.	1.39	3.05	2.16	3.09	9.69
KINGSTON ELECTRICITY DISTRIBUTION LTD.	7.20	15.76	11.19	16.00	50.15
KITCHENER-WILMOT HYDRO INC.	23.48	51.39	36.50	52.17	163.54
LAKEFRONT UTILITIES INC.	2.33	5.10	3.62	5.17	16.22
LAKELAND POWER DISTRIBUTION LTD.	2.77	6.06	4.30	6.15	19.28
LONDON HYDRO INC.	36.94	80.86	57.43	82.08	257.31
MIDDLESEX POWER DISTRIBUTION CORP.	2.01	4.41	3.13	4.47	14.02
MIDLAND POWER UTILITY CORP.	2.01	4.40	3.12	4.46	13.99
MILTON HYDRO DISTRIBUTION INC.	7.33	16.05	11.40	16.29	51.07
NEWBURY POWER INC.	0.05	0.11	0.08	0.11	0.35
NEWMARKET - TAY POWER DISTRIBUTION LTD.	10.90	23.85	16.94	24.21	75.90
NIAGARA PENINSULA ENERGY INC.	18.39	40.25	28.59	40.86	128.09
NIAGARA-ON-THE-LAKE HYDRO INC.	3.29	7.20	5.12	7.31	22.92
NORFOLK POWER DISTRIBUTION INC.	6.42	14.05	9.98	14.26	44.71
NORTH BAY HYDRO DISTRIBUTION LTD.	7.07	15.47	10.99	15.70	49.23
NORTHERN ONTARIO WIRES INC.	1.57	3.43	2.44	3.48	10.92
OAKVILLE HYDRO ELECTRICITY DISTRIBUTION INC.	20.30	44.42	31.55	45.09	141.36
ORANGEVILLE HYDRO LTD.	3.09	6.76	4.80	6.87	21.52
ORILLIA POWER DISTRIBUTION CORP.	4.43	9.71	6.89	9.85	30.88

Consultation Process on an electricity distributors' deferral and variance account review initiative

Electricity Distribution System Owner/Operator	AMPCO	LPMA	SEC	VECC	Total Intervenor Costs
OSHAWA PUC NETWORKS INC.	12.70	27.79	19.74	28.21	88.44
OTTAWA RIVER POWER CORP.	2.47	5.42	3.85	5.50	17.24
PARRY SOUND POWER CORP.	1.28	2.80	1.99	2.84	8.91
PETERBOROUGH DISTRIBUTION INC.	8.74	19.14	13.59	19.43	60.90
POWERSTREAM INC.	81.72	178.86	127.04	181.56	569.18
PUC DISTRIBUTION INC.	8.51	18.63	13.23	18.91	59.28
RENFREW HYDRO INC.	1.12	2.44	1.74	2.48	7.78
RIDEAU ST. LAWRENCE DISTRIBUTION INC.	1.09	2.38	1.69	2.42	7.58
ST. THOMAS ENERGY INC.	4.33	9.47	6.72	9.61	30.13
SIOUX LOOKOUT HYDRO INC.	1.03	2.26	1.60	2.29	7.18
THUNDER BAY HYDRO ELECTRICITY DISTRIBUTION INC.	11.47	25.11	17.84	25.49	79.91
TILLSONBURG HYDRO INC.	1.79	3.92	2.78	3.98	12.47
TORONTO HYDRO-ELECTRIC SYSTEM LTD.	316.47	692.61	491.96	703.10	2,204.14
VERIDIAN CONNECTIONS INC.	30.33	66.37	47.15	67.38	211.23
WASAGA DISTRIBUTION INC.	2.32	5.09	3.61	5.16	16.18
WATERLOO NORTH HYDRO INC.	17.65	38.63	27.44	39.21	122.93
WELLAND HYDRO-ELECTRIC SYSTEM CORP.	5.19	11.36	8.07	11.53	36.15
WELLINGTON NORTH POWER INC.	0.86	1.88	1.33	1.91	5.98
WEST COAST HURON ENERGY INC.	1.12	2.46	1.75	2.49	7.82
WEST PERTH POWER INC.	0.53	1.15	0.82	1.17	3.67
WESTARIO POWER INC.	5.56	12.16	8.64	12.35	38.71
WHITBY HYDRO ELECTRIC CORP.	13.27	29.04	20.63	29.48	92.42
WOODSTOCK HYDRO SERVICES INC.	4.61	10.09	7.17	10.24	32.11
Total, Electricity Distributors	1,827.00	3,998.47	2,840.10	4,059.00	12,724.57