



EB-2009-0423

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 regarding the alignment of
the rate year with the fiscal year for electricity distributors.

BEFORE: Ken Quesnelle
Presiding Member

DECISION ON COST ELIGIBILITY
April 27, 2010

On January 21, 2010, the Ontario Energy Board (the "Board") issued a letter to all licensed electricity distributors and all other interested parties initiating a consultative process to review the need for and the implications of a potential alignment of the rate year with the fiscal year for electricity distributors.

The Board's letter also 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 issues set out in the letter, to a maximum of 20 hours. The letter also indicated that any costs would be recovered from all rate-regulated licensed electricity distributors based on their respective distribution revenues. The rates of licensed distributors Cornwall Street Lighting and Power Company Limited and Dubreuil Forest Products Ltd. are not currently fixed or approved by the Board, and the letter confirmed that cost awards would not be recovered from these two distributors.

The Board received requests for eligibility from the following participants:

- School Energy Coalition;
- London Property Management Association;
- Canadian Manufacturers & Exporters; and
- Vulnerable Energy Consumers Coalition

(collectively, the “requesting participants”).

Due to an administrative oversight, the requests for eligibility were not posted on the webpage for this consultation that appears on the Board’s website, an oversight which has now been rectified. In the circumstances, the Board believes that it is appropriate to make its determinations on eligibility subject to any objections that rate-regulated licensed electricity distributors may file.

Based on the criteria set out in section 3 of the Board’s *Practice Direction on Cost Awards*, the Board has determined that all of the requesting participants are eligible for an award of costs in this consultation. As noted above, these determinations are subject to any objections that may be filed by rate-regulated licensed electricity distributors. Any such objections must be filed in accordance with the filing instructions set out in the Board’s January 21, 2010 letter and must be received no later than 4:45 pm on May 4, 2010.

DATED at Toronto, April 27, 2010.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary