



EB-2009-0267

IN THE MATTER OF the *Ontario Energy Board Act*
1998, S.O.1998, c.15, (Schedule B);

AND IN THE MATTER OF an application by Kitchener-
Wilmot Hydro Inc. for an order approving or fixing just
and reasonable rates and other charges for the
distribution of electricity to be effective May 1, 2010.

BEFORE: Ken Quesnelle
Presiding Member

DECISION AND ORDER ON COST AWARDS

Kitchener-Wilmot Hydro Inc. ("KW Hydro") filed an application with the Ontario Energy Board (the "Board") on August 31, 2009. The application was filed under section 78 of the *Ontario Energy Board Act, 1998*, S.O 1998, c. 15 (Sched. B), seeking approval for changes to the rates that KW Hydro charges for electricity distribution to be effective May 1, 2010. The Board has assigned File Number EB-2009-0267 to this application.

On October 15, 2009, the Board issued Procedural Order No. 1 granting Energy Probe Research Foundation ("Energy Probe"), School Energy Coalition ("SEC") and Vulnerable Energy Consumers Coalition ("VECC") intervenor status. The Board determined that the intervenors are each eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

The Board issued its Decision and Order on the application on April 7, 2010, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by KW Hydro.

Cost claims were submitted by Energy Probe and SEC by the May 7, 2010 deadline specified in the Decision and Order. VECC submitted its cost claim on May 11, 2010. No comments were received from KW Hydro.

The Board reviewed the claims filed by Energy Probe, SEC and VECC, and found that one claim was not in accordance with the *Practice Direction on Cost Awards*, and has made the following adjustment:

- SEC: \$40.50 reduction in disbursements.

The Board accepts the cost claims filed by VECC notwithstanding that it was filed after the deadline specified in the Decision and Order. The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding subject to the adjustment referenced above. The Board finds that each party's claims, adjusted as described above, are reasonable and should be reimbursed by KW Hydro.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, KW Hydro shall immediately pay:
 - Energy Probe Research Foundation \$14,177.55;
 - School Energy Coalition \$ 6,801,50; and
 - Vulnerable Energy Consumers Coalition \$16,658.81.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, KW Hydro shall pay the Board's costs of and incidental to this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, May 25, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary