



**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 awards for eligible  
participants in a consultation process regarding the  
alignment of the Rate Year with the Fiscal Year for  
electricity distributors.

**BEFORE:** Ken Quesnelle  
Presiding Member

## **DECISION AND ORDER ON COST AWARDS**

### **Background**

On January 21, 2010, the Ontario Energy Board (the “Board”) issued a letter 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 (the “Act”) 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 stated that any costs awarded 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 and Dubreuil Forest Products are not currently fixed or approved by the Board, and the letter confirmed that cost awards would not be recovered from these two distributors.

This consultation was completed with the issuance of a letter dated April 15, 2010 providing the Board's guidance on the subject.

In accordance with the Board's April 27, 2010 Decision on Cost Eligibility, the following participants were found to be eligible for an award of costs in relation to their participation in this consultation process, subject to any objections that rate-regulated licensed electricity distributors might have: Canadian Manufacturers & Exporters ("CME"); London Property Management Association ("LPMA"); School Energy Coalition ("SEC"); and Vulnerable Energy Consumers Coalition ("VECC") (collectively, the "eligible participants"). No objections were received from electricity distributors within the time specified for that purpose in the Decision on Cost Eligibility.

On May 4, 2010, the Board issued a Notice of Hearing for Cost Awards (the "Notice") initiating a hearing on its own motion in order to determine the cost awards that will be made under section 30 of the Act in relation to this consultation.

The Board received cost claims from CME, LPMA and SEC by the May 14, 2010 deadline specified for that purpose in the Notice. VECC submitted its cost claim on May 18, 2010. No objections to the cost claims were received by the Board from any rate-regulated licensed electricity distributor within the time specified for that purpose in the Notice.

### **Board Findings on the Cost Claims of the Eligible Participants**

The Board will accept the cost claim filed by VECC notwithstanding that it was filed after the deadline specified in the Notice.

The Board has reviewed the cost claims and finds that the cost claims filed by the eligible participants are all in accordance with the overall limits set out in the Board's January 21, 2010 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 rate-regulated licensed electricity distributor in relation to the costs awarded to each eligible participant is listed in Appendix A to this Decision and Order.

**Process for Paying Cost Awards**

As indicated in the Board's January 21, 2010 letter, the Board will use the process set out in section 12 of its *Practice Direction on Cost Awards* 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 are invoices for cost assessments 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 the 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. Payment of cost awards referred to in paragraph 2 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, June 7, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**Appendix A**

**To the Board's Decision and Order on Cost Awards  
Dated June 7, 2010**

**EB-2009-0423**

Consultation Process Regarding the Alignment of the Rate Year with the Fiscal Year for Electricity Distributors

| Electricity Distribution System Owner/Operator | CME    | LPMA     | SEC      | VECC   | TOTAL    |
|--|--------|----------|----------|--------|----------|
| ATIKOKAN HYDRO INC.                            | 0.99   | 2.43     | 1.10     | 0.66   | 5.18     |
| ATTAWAPISKAT POWER CORP.                       | 0.82   | 2.01     | 0.91     | 0.55   | 4.29     |
| BLUEWATER POWER DISTRIBUTION CORP.             | 15.64  | 38.33    | 17.29    | 10.45  | 81.70    |
| BRANT COUNTY POWER INC.                        | 5.91   | 14.48    | 6.53     | 3.95   | 30.88    |
| BRANTFORD POWER INC.                           | 15.09  | 37.00    | 16.69    | 10.09  | 78.87    |
| BURLINGTON HYDRO INC.                          | 26.82  | 65.75    | 29.65    | 17.93  | 140.15   |
| CAMBRIDGE AND NORTH DUMFRIES HYDRO INC.        | 21.36  | 52.37    | 23.62    | 14.28  | 111.63   |
| CANADIAN NIAGARA POWER INC.                    | 15.31  | 37.54    | 16.93    | 10.24  | 80.02    |
| CENTRE WELLINGTON HYDRO LTD.                   | 2.42   | 5.93     | 2.68     | 1.62   | 12.65    |
| CHAPLEAU PUBLIC UTILITIES CORP.                | 0.61   | 1.49     | 0.67     | 0.41   | 3.18     |
| CHATHAM-KENT HYDRO INC.                        | 13.88  | 34.02    | 15.35    | 9.28   | 72.53    |
| CLINTON POWER CORP.                            | 0.49   | 1.20     | 0.54     | 0.33   | 2.57     |
| COLLUS POWER CORP.                             | 4.63   | 11.34    | 5.12     | 3.09   | 24.18    |
| COOPERATIVE HYDRO EMBRUN INC.                  | 0.56   | 1.38     | 0.62     | 0.38   | 2.95     |
| E.L.K. ENERGY INC.                             | 4.61   | 11.31    | 5.10     | 3.08   | 24.10    |
| ENERSOURCE HYDRO MISSISSAUGA INC.              | 106.19 | 260.31   | 117.41   | 70.99  | 554.90   |
| ENWIN POWERLINES LTD.                          | 44.22  | 108.40   | 48.89    | 29.56  | 231.08   |
| ERIE THAMES POWERLINES CORP.                   | 6.68   | 16.37    | 7.38     | 4.46   | 34.89    |
| ESPANOLA REGIONAL HYDRO DISTRIBUTION CORP.     | 1.22   | 2.99     | 1.35     | 0.81   | 6.36     |
| ESSEX POWERLINES CORP.                         | 9.47   | 23.21    | 10.47    | 6.33   | 49.48    |
| FESTIVAL HYDRO INC.                            | 9.04   | 22.16    | 10.00    | 6.04   | 47.24    |
| FORT ALBANY POWER CORP.                        | 0.63   | 1.53     | 0.69     | 0.42   | 3.27     |
| FORT FRANCES POWER CORP.                       | 1.51   | 3.69     | 1.66     | 1.01   | 7.87     |
| ALGOMA POWER INC.                              | 17.55  | 43.03    | 19.41    | 11.74  | 91.73    |
| GREATER SUDBURY HYDRO INC.                     | 21.09  | 51.69    | 23.32    | 14.10  | 110.19   |
| GRIMSBY POWER INC.                             | 3.32   | 8.13     | 3.67     | 2.22   | 17.33    |
| GUELPH HYDRO ELECTRIC SYSTEMS INC.             | 23.02  | 56.43    | 25.45    | 15.39  | 120.29   |
| HALDIMAND COUNTY HYDRO INC.                    | 11.47  | 28.13    | 12.69    | 7.67   | 59.96    |
| HALTON HILLS HYDRO INC.                        | 8.75   | 21.45    | 9.68     | 5.85   | 45.73    |
| HORIZON UTILITIES CORPORATION                  | 86.02  | 210.87   | 95.11    | 57.51  | 449.51   |
| HYDRO HAWKESBURY INC.                          | 1.11   | 2.72     | 1.23     | 0.74   | 5.80     |
| HEARST POWER DISTRIBUTION COMPANY LTD.         | 0.61   | 1.51     | 0.68     | 0.41   | 3.21     |
| HYDRO 2000 INC.                                | 0.27   | 0.67     | 0.30     | 0.18   | 1.43     |
| HYDRO ONE BRAMPTON NETWORKS INC.               | 60.67  | 148.73   | 67.08    | 40.56  | 317.04   |
| HYDRO ONE NETWORKS INC.                        | 964.54 | 2,364.46 | 1,066.49 | 644.84 | 5,040.33 |
| HYDRO OTTAWA LTD.                              | 132.35 | 324.44   | 146.34   | 88.48  | 691.60   |
| INNISFIL HYDRO DISTRIBUTION SYSTEMS LTD.       | 6.69   | 16.40    | 7.40     | 4.47   | 34.97    |
| KASHECHEWAN POWER CORP.                        | 0.76   | 1.87     | 0.85     | 0.51   | 4.00     |
| KENORA HYDRO ELECTRIC CORPORATION LTD.         | 2.01   | 4.93     | 2.22     | 1.35   | 10.51    |
| KINGSTON ELECTRICITY DISTRIBUTION LTD.         | 9.58   | 23.49    | 10.60    | 6.41   | 50.08    |
| KITCHENER-WILMOT HYDRO INC.                    | 31.94  | 78.29    | 35.31    | 21.35  | 166.89   |
| LAKEFRONT UTILITIES INC.                       | 3.87   | 9.48     | 4.28     | 2.59   | 20.21    |
| LAKELAND POWER DISTRIBUTION LTD.               | 3.94   | 9.65     | 4.35     | 2.63   | 20.58    |
| LONDON HYDRO INC.                              | 52.45  | 128.58   | 57.99    | 35.07  | 274.09   |
| MIDDLESEX POWER DISTRIBUTION CORP.             | 3.31   | 8.12     | 3.66     | 2.21   | 17.31    |
| MIDLAND POWER UTILITY CORP.                    | 2.77   | 6.80     | 3.07     | 1.85   | 14.50    |
| MILTON HYDRO DISTRIBUTION INC.                 | 10.65  | 26.10    | 11.77    | 7.12   | 55.64    |
| NEWMARKET - TAY POWER DISTRIBUTION LTD.        | 15.02  | 36.81    | 16.60    | 10.04  | 78.47    |
| NIAGARA PENINSULA ENERGY INC.                  | 25.99  | 63.72    | 28.74    | 17.38  | 135.82   |
| NIAGARA-ON-THE-LAKE HYDRO INC.                 | 4.50   | 11.04    | 4.98     | 3.01   | 23.53    |

Consultation Process Regarding the Alignment of the Rate Year with the Fiscal Year for Electricity Distributors

| Electricity Distribution System Owner/Operator  | CME               | LPMA               | SEC               | VECC              | TOTAL              |
|---|-------------------|--------------------|-------------------|-------------------|--------------------|
| NORFOLK POWER DISTRIBUTION INC.                 | 9.56              | 23.43              | 10.57             | 6.39              | 49.95              |
| NORTH BAY HYDRO DISTRIBUTION LTD.               | 9.99              | 24.50              | 11.05             | 6.68              | 52.22              |
| NORTHERN ONTARIO WIRES INC.                     | 2.30              | 5.64               | 2.55              | 1.54              | 12.03              |
| OAKVILLE HYDRO ELECTRICITY DISTRIBUTION INC.    | 28.00             | 68.65              | 30.96             | 18.72             | 146.34             |
| ORANGEVILLE HYDRO LTD.                          | 4.38              | 10.74              | 4.84              | 2.93              | 22.88              |
| ORILLIA POWER DISTRIBUTION CORP.                | 6.48              | 15.89              | 7.17              | 4.33              | 33.88              |
| OSHAWA PUC NETWORKS INC.                        | 19.12             | 46.87              | 21.14             | 12.78             | 99.92              |
| OTTAWA RIVER POWER CORP.                        | 3.43              | 8.40               | 3.79              | 2.29              | 17.92              |
| PARRY SOUND POWER CORP.                         | 1.77              | 4.34               | 1.96              | 1.18              | 9.25               |
| PETERBOROUGH DISTRIBUTION INC.                  | 13.06             | 32.02              | 14.44             | 8.73              | 68.27              |
| POWERSTREAM INC.                                | 141.86            | 347.76             | 156.86            | 94.84             | 741.32             |
| PUC DISTRIBUTION INC.                           | 13.67             | 33.52              | 15.12             | 9.14              | 71.45              |
| RENFREW HYDRO INC.                              | 1.59              | 3.91               | 1.76              | 1.07              | 8.33               |
| RIDEAU ST. LAWRENCE DISTRIBUTION INC.           | 1.90              | 4.67               | 2.10              | 1.27              | 9.94               |
| ST. THOMAS ENERGY INC.                          | 6.32              | 15.50              | 6.99              | 4.23              | 33.05              |
| SIOUX LOOKOUT HYDRO INC.                        | 1.53              | 3.76               | 1.70              | 1.03              | 8.01               |
| THUNDER BAY HYDRO ELECTRICITY DISTRIBUTION INC. | 16.66             | 40.83              | 18.42             | 11.14             | 87.04              |
| TILLSONBURG HYDRO INC.                          | 2.38              | 5.83               | 2.63              | 1.59              | 12.43              |
| TORONTO HYDRO-ELECTRIC SYSTEM LTD.              | 446.16            | 1,093.71           | 493.32            | 298.28            | 2,331.47           |
| VERIDIAN CONNECTIONS INC.                       | 42.92             | 105.22             | 47.46             | 28.69             | 224.29             |
| WASAGA DISTRIBUTION INC.                        | 3.38              | 8.29               | 3.74              | 2.26              | 17.68              |
| WATERLOO NORTH HYDRO INC.                       | 24.27             | 59.49              | 26.83             | 16.22             | 126.81             |
| WELLAND HYDRO-ELECTRIC SYSTEM CORP.             | 6.99              | 17.14              | 7.73              | 4.67              | 36.54              |
| WELLINGTON NORTH POWER INC.                     | 1.49              | 3.66               | 1.65              | 1.00              | 7.81               |
| WEST COAST HURON ENERGY INC.                    | 1.63              | 3.99               | 1.80              | 1.09              | 8.51               |
| WEST PERTH POWER INC.                           | 0.72              | 1.76               | 0.80              | 0.48              | 3.76               |
| WESTARIO POWER INC.                             | 7.84              | 19.21              | 8.67              | 5.24              | 40.96              |
| WHITBY HYDRO ELECTRIC CORP.                     | 17.78             | 43.58              | 19.66             | 11.89             | 92.90              |
| WOODSTOCK HYDRO SERVICES INC.                   | 6.67              | 16.35              | 7.37              | 4.46              | 34.85              |
|   |                   |                    |                   |                   |                    |
| <b>TOTAL</b>                                    | <b>\$2,656.24</b> | <b>\$ 6,511.48</b> | <b>\$2,937.00</b> | <b>\$1,775.82</b> | <b>\$13,880.54</b> |