



EB-2009-0270

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 North Bay
Hydro Distribution Ltd. for an order approving just and
reasonable rates and other charges for electricity
distribution to be effective May 1, 2010.

BEFORE: Gordon Kaiser
Vice Chair and Presiding Member

DECISION AND ORDER ON COST AWARDS

North Bay Hydro Distribution Limited ("North Bay Hydro") filed an application with the Ontario Energy Board (the "Board"), received on October 26, 2009 under section 78 of the Ontario Energy Board Act, 1998, S.O. 1998, c. 15 (Schedule B), seeking approval for changes to the rates that North Bay Hydro charges for electricity distribution, to be effective May 1, 2010. The Board has assigned File Number EB-2009-0270 to this application.

On December 15, 2009, the Board issued Procedural Order No. 1 granting Energy Probe Research Foundation ("Energy Probe"), Vulnerable Energy Consumers Coalition ("VECC"), School Energy Coalition ("SEC") and Mr. Donald D. Rennick intervenor status. The Board determined that the following intervenors are eligible for an award of costs: Energy Probe, VECC and SEC. In Procedural Order No. 2, the Board determined that Mr. Donald D. Rennick could recover his expenses to attend the settlement conference.

The Board issued its Decision on the application on April 8, 2010, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by North Bay Hydro.

The Board received cost claims from Energy Probe, VECC, SEC and Mr. Rennick. No comments were received from North Bay Hydro.

The Board reviewed the claims filed by Energy Probe, VECC, SEC and Mr. Rennick, and found that one claim submitted by SEC was not in accordance with the *Practice Direction on Cost Awards*, and has made one adjustment to SEC cost claim: \$48.60 reduction in disbursements. The amount claimed by SEC is \$12,776.35. The amount awarded is \$12,727.75.

The Board has made one adjustment to Energy Probe's cost claim due to an error in Form 2 for Mr. Randy Aiken. The amount claimed by Energy Probe is \$17,914.06. The amount awarded is \$17,913.81.

The Board finds that Energy Probe, VECC and SEC are eligible for 100% of their reasonably incurred costs of participating in this proceeding, subject to the adjustments referenced above, and Mr. Rennick is entitled to his claimed costs for participating in the settlement conference. The Board finds that each party's claims, adjusted as described above, are reasonable and will be reimbursed by North Bay Hydro.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, North Bay Hydro shall immediately pay:
 - Energy Probe Research Foundation \$17,913.81;
 - Vulnerable Energy Consumers Coalition \$17,060.60
 - School Energy Coalition \$12,727.75; and
 - Mr. Donald D. Rennick \$ 320.10.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, North Bay Hydro shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, June 8, 2010.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary