



EB 2009-0326

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 proceeding initiated by the Ontario
Energy Board to determine and implement a
distribution rate for embedded generators having a
nameplate capacity of 10 kW or less.

BEFORE: Ken Quesnelle
Member

DECISION AND ORDER ON COST AWARDS

Background

The Ontario Energy Board (the “Board”) commenced a proceeding on its own motion to determine a just and reasonable rate to be charged by an electricity distributor for the recovery of costs associated with an embedded generator having a nameplate capacity of 10 kW or less (“embedded micro-generator”) that meets the eligibility requirements of the Ontario Power Authority’s microFIT program. The Board assigned file number EB-2009-0326 to this proceeding.

On September 21, 2009, the Board issued its Notice and Procedural Order No. 1 stating that cost awards would be available to eligible participants under 30 of the *Ontario Energy Board Act, 1998* for their participating in this consultation. Costs awards will be recovered from all rate-regulated electricity distributors based on their respective

distribution revenues. The Procedural Order also identified a list of deemed intervenors in this proceeding.

In Procedural Order No. 2 dated October 22, 2009, the Board received requests from other interested parties for intervenor status and cost award eligibility and from deemed intervenors seeking cost award eligibility.

The Board found that the following intervenors are eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*:

- Consumers Council of Canada;
- Energy Probe;
- Federation of Ontario Cottagers' Associations (disbursements only);
- Green Energy Coalition;
- London Property Management Association;
- Pollution Probe;
- Toronto Community Housing Corporation;
- Vulnerable Energy Consumers Coalition;
- School Energy Coalition; and
- Canadian Manufacturers and Exporters.

The following eligible parties submitted cost claims by March 9, 2010: Green Energy Coalition ("GEC"), London Property Management Association ("LPMA"), School Energy Coalition ("SEC") and Vulnerable Energy Consumers Coalition ("VECC"). On April 6, 2010, Canadian Manufacturers and Exporters ("CME") submitted its cost claim indicating that due to a communications breakdown in its office, the cost claim was not submitted within 14 days of the Board's February 23, 2010 Decision and Order.

The Board did not receive any cost claims from Consumers Council of Canada, Energy Probe, Pollution Probe and Toronto Community Housing Corporation. By an email dated February 24, 2010, Federation of Ontario Cottagers' Associations indicated that it would not submit a cost claim since its participation costs were not material.

Board Findings on the Cost Claims of the Eligible Participants

The Board has reviewed the cost claims and finds that the cost claims filed by CME, GEC, LPMA, SEC and VECC are in accordance with the Board's *Practice Direction on Cost Awards*. The Board therefore finds that each of these parties are entitled to 100% of its reasonably incurred costs of participating in this consultation.

The Board approves the cost claims for each eligible intervenor:

- Canadian Manufacturers and Exporters \$3,136.88
- Green Energy Coalition \$4,192.65;
- London Property Management Association \$3,125.32
- School Energy Coalition \$6,534.00; and
- Vulnerable Energy Consumers Coalition \$5,158.32.

The amount payable by each individual licensed rate-regulated 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

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 9, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

To the Board's Decision and Order on Cost Awards

**Proceeding initiated by the Ontario Energy Board
to determine and implement a distribution rate for
embedded generators having a nameplate
capacity of 10 kW or less**

**Dated June 9, 2010
EB-2009-0326**

Proceeding initiated by the Ontario Energy Board to determine and implement a distribution rate for embedded generators having a nameplate of 10 kW or less

Electricity Distribution System Owner/Operator	CME	GEC	LPMA	SEC	VECC	TOTAL
ATIKOKAN HYDRO INC.	1.17	1.56	1.17	2.44	1.92	8.26
ATTAWAPISKAT POWER CORP.	0.97	1.30	0.97	2.02	1.59	6.84
BLUEWATER POWER DISTRIBUTION CORP.	18.46	24.68	18.40	38.46	30.36	130.36
BRANT COUNTY POWER INC.	6.98	9.33	6.95	14.53	11.47	49.27
BRANTFORD POWER INC.	17.82	23.82	17.76	37.13	29.31	125.84
BURLINGTON HYDRO INC.	31.67	42.33	31.56	65.97	52.08	223.62
CAMBRIDGE AND NORTH DUMFRIES HYDRO INC.	25.23	33.72	25.13	52.55	41.48	178.11
CANADIAN NIAGARA POWER INC.	18.08	24.17	18.02	37.67	29.74	127.67
CENTRE WELLINGTON HYDRO LTD.	2.86	3.82	2.85	5.95	4.70	20.18
CHAPLEAU PUBLIC UTILITIES CORP.	0.72	0.96	0.72	1.50	1.18	5.07
CHATHAM-KENT HYDRO INC.	16.39	21.91	16.33	34.14	26.95	115.72
CLINTON POWER CORP.	0.58	0.78	0.58	1.21	0.95	4.09
COLLUS POWER CORP.	5.47	7.30	5.45	11.38	8.99	38.59
COOPERATIVE HYDRO EMBRUN INC.	0.67	0.89	0.66	1.39	1.10	4.70
E.L.K. ENERGY INC.	5.45	7.28	5.43	11.35	8.96	38.46
ENERSOURCE HYDRO MISSISSAUGA INC.	125.40	167.61	124.94	261.21	206.21	885.38
ENWIN POWERLINES LTD.	52.22	69.80	52.03	108.78	85.87	368.70
ERIE THAMES POWERLINES CORP.	7.88	10.54	7.86	16.42	12.97	55.67
ESPANOLA REGIONAL HYDRO DISTRIBUTION CORP.	1.44	1.92	1.43	3.00	2.36	10.15
ESSEX POWERLINES CORP.	11.18	14.95	11.14	23.29	18.39	78.95
FESTIVAL HYDRO INC.	10.68	14.27	10.64	22.24	17.56	75.38
FORT ALBANY POWER CORP.	0.74	0.99	0.74	1.54	1.22	5.22
FORT FRANCES POWER CORP.	1.78	2.38	1.77	3.70	2.92	12.56
ALGOMA POWER INC.	20.73	27.71	20.65	43.18	34.09	146.36
GREATER SUDBURY HYDRO INC.	24.90	33.28	24.81	51.87	40.95	175.82
GRIMSBY POWER INC.	3.92	5.24	3.90	8.16	6.44	27.66
GUELPH HYDRO ELECTRIC SYSTEMS INC.	27.18	36.33	27.08	56.62	44.70	191.93
HALDIMAND COUNTY HYDRO INC.	13.55	18.11	13.50	28.23	22.28	95.67
HALTON HILLS HYDRO INC.	10.34	13.81	10.30	21.53	17.00	72.97
HORIZON UTILITIES CORPORATION	101.58	135.77	101.21	211.60	167.05	717.21

Proceeding initiated by the Ontario Energy Board to determine and implement a distribution rate for embedded generators having a nameplate of 10 kW or less

Electricity Distribution System Owner/Operator	CME	GEC	LPMA	SEC	VECC	TOTAL
HYDRO HAWKESBURY INC.	1.31	1.75	1.31	2.73	2.16	9.26
HEARST POWER DISTRIBUTION COMPANY LTD.	0.73	0.97	0.72	1.51	1.19	5.12
HYDRO 2000 INC.	0.32	0.43	0.32	0.67	0.53	2.29
HYDRO ONE BRAMPTON NETWORKS INC.	71.65	95.76	71.38	149.24	117.82	505.86
HYDRO ONE NETWORKS INC.	1,139.07	1,522.44	1,134.87	2,372.64	1,873.10	8,042.12
HYDRO OTTAWA LTD.	156.30	208.90	155.72	325.56	257.01	1,103.49
INNISFIL HYDRO DISTRIBUTION SYSTEMS LTD.	7.90	10.56	7.87	16.46	12.99	55.79
KASHECHEWAN POWER CORP.	0.90	1.21	0.90	1.88	1.48	6.38
KENORA HYDRO ELECTRIC CORPORATION LTD.	2.38	3.18	2.37	4.95	3.91	16.78
KINGSTON ELECTRICITY DISTRIBUTION LTD.	11.32	15.13	11.28	23.58	18.61	79.91
KITCHENER-WILMOT HYDRO INC.	37.72	50.41	37.58	78.56	62.02	266.29
LAKEFRONT UTILITIES INC.	4.57	6.10	4.55	9.51	7.51	32.25
LAKELAND POWER DISTRIBUTION LTD.	4.65	6.22	4.63	9.69	7.65	32.84
LONDON HYDRO INC.	61.94	82.79	61.71	129.02	101.86	437.32
MIDDLESEX POWER DISTRIBUTION CORP.	3.91	5.23	3.90	8.15	6.43	27.62
MIDLAND POWER UTILITY CORP.	3.28	4.38	3.26	6.82	5.39	23.13
MILTON HYDRO DISTRIBUTION INC.	12.57	16.80	12.53	26.19	20.68	88.77
NEWMARKET - TAY POWER DISTRIBUTION LTD.	17.73	23.70	17.67	36.94	29.16	125.21
NIAGARA PENINSULA ENERGY INC.	30.70	41.03	30.58	63.94	50.48	216.72
NIAGARA-ON-THE-LAKE HYDRO INC.	5.32	7.11	5.30	11.08	8.74	37.54
NORFOLK POWER DISTRIBUTION INC.	11.29	15.09	11.25	23.51	18.56	79.70
NORTH BAY HYDRO DISTRIBUTION LTD.	11.80	15.77	11.76	24.58	19.41	83.32
NORTHERN ONTARIO WIRES INC.	2.72	3.63	2.71	5.66	4.47	19.20
OAKVILLE HYDRO ELECTRICITY DISTRIBUTION INC.	33.07	44.20	32.95	68.89	54.38	233.50
ORANGEVILLE HYDRO LTD.	5.17	6.91	5.15	10.77	8.50	36.51
ORILLIA POWER DISTRIBUTION CORP.	7.66	10.23	7.63	15.95	12.59	54.05
OSHAWA PUC NETWORKS INC.	22.58	30.18	22.50	47.03	37.13	159.42
OTTAWA RIVER POWER CORP.	4.05	5.41	4.03	8.43	6.66	28.58
PARRY SOUND POWER CORP.	2.09	2.79	2.08	4.35	3.44	14.75
PETERBOROUGH DISTRIBUTION INC.	15.43	20.62	15.37	32.13	25.37	108.92

Proceeding initiated by the Ontario Energy Board to determine and implement a distribution rate for embedded generators having a nameplate of 10 kW or less

Electricity Distribution System Owner/Operator	CME	GEC	LPMA	SEC	VECC	TOTAL
POWERSTREAM INC.	167.53	223.92	166.91	348.96	275.49	1,182.82
PUC DISTRIBUTION INC.	16.15	21.58	16.09	33.63	26.55	114.00
RENFREW HYDRO INC.	1.88	2.52	1.88	3.92	3.10	13.30
RIDEAU ST. LAWRENCE DISTRIBUTION INC.	2.25	3.00	2.24	4.68	3.70	15.87
ST. THOMAS ENERGY INC.	7.47	9.98	7.44	15.56	12.28	52.74
SIOUX LOOKOUT HYDRO INC.	1.81	2.42	1.80	3.77	2.98	12.79
THUNDER BAY HYDRO ELECTRICITY DISTRIBUTION INC.	19.67	26.29	19.60	40.97	32.35	138.88
TILLSONBURG HYDRO INC.	2.81	3.75	2.80	5.85	4.62	19.83
TORONTO HYDRO-ELECTRIC SYSTEM LTD.	526.89	704.23	524.95	1,097.50	866.43	3,719.99
VERIDIAN CONNECTIONS INC.	50.69	67.75	50.50	105.58	83.35	357.87
WASAGA DISTRIBUTION INC.	4.00	5.34	3.98	8.32	6.57	28.21
WATERLOO NORTH HYDRO INC.	28.66	38.30	28.55	59.69	47.12	202.33
WELLAND HYDRO-ELECTRIC SYSTEM CORP.	8.26	11.04	8.23	17.20	13.58	58.30
WELLINGTON NORTH POWER INC.	1.77	2.36	1.76	3.68	2.90	12.46
WEST COAST HURON ENERGY INC.	1.92	2.57	1.92	4.01	3.16	13.58
WEST PERTH POWER INC.	0.85	1.14	0.85	1.77	1.40	6.00
WESTARIO POWER INC.	9.26	12.37	9.22	19.28	15.22	65.35
WHITBY HYDRO ELECTRIC CORP.	21.00	28.06	20.92	43.73	34.53	148.23
WOODSTOCK HYDRO SERVICES INC.	7.88	10.53	7.85	16.40	12.95	55.60
TOTAL	\$ 3,136.88	\$ 4,192.65	\$ 3,125.32	\$ 6,534.00	\$ 5,158.32	\$22,147.17