



EB-2009-0261

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 Chatham-Kent Hydro Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2010.

BEFORE: Paul Sommerville
Presiding Member

Ken Quesnelle
Member

DECISION AND ORDER ON COST AWARDS

Chatham-Kent Hydro Inc. ("Chatham-Kent") filed an application with the Ontario Energy Board (the "Board") on October 5, 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 Chatham-Kent charges for electricity distribution, to be effective May 1, 2010. The Board assigned the File Number EB-2009-0261 to this application.

On November 11, 2009, the Board issued Procedural Order No. 1 granting Energy Probe Research Foundation ("Energy Probe"), School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC") intervenor status. The Board also

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 20, 2010, in which it also set out the process for intervenors to file their cost claims and to respond to any objections raised by Chatham-Kent.

The Board received cost claims from the Energy Probe, SEC and VECC. On June 8, 2010, SEC submitted an amended cost claim. No comments were received from Chatham-Kent.

The Board has reviewed the claims filed by Energy Probe, SEC and VECC. The Board notes that the total amount on Form 1 filed by SEC does not match with the information filed on its Form 3 and the Board has determined that the correct amount on Form 3 is \$9,317.60. The Board finds that one claim submitted by Energy Probe and one claim submitted by SEC were not in accordance with the *Practice Direction on Cost Awards*, and has made the following adjustments:

- Energy Probe: \$28.37 reduction in disbursements;
- SEC: \$48.60 reduction in disbursements.

The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding subject to the adjustments referenced above. The Board finds that each party's claims, adjusted as described above, are reasonable and should be reimbursed by Chatham-Kent.

THE BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Chatham-Kent shall immediately pay:

- Energy Probe Research Foundation \$24,036.41;
- School Energy Coalition \$11,975.00; and
- Vulnerable Energy Consumers Coalition \$13,868.25.

2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Chatham-Kent shall pay the Board's costs of and incidental to this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, June 16, 2010.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary