



EB-2010-0159

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 Canadian
Niagara Power Inc., requesting approval to establish a
deferral account to record certain preliminary costs.

BEFORE: Ken Quesnelle
Presiding Member

Paula Conboy
Member

DECISION AND ORDER ON COST AWARDS

Canadian Niagara Power Inc. ("CNPI") filed an application with the Ontario Energy Board, (the "Board") dated April 9, 2010 requesting Board approval to establish a deferral account. The Board assigned File No. EB-2010-0159 to this application.

In Procedural Order No. 1, issued on May 28, 2010, the Board granted intervenor status to Energy Probe Research Foundation ("Energy Probe") to record certain preliminary costs for leave to construct to certain transmission facilities.

The Board issued its Decision with Reasons on the application on August 18, 2010, in which it also set out the process for Energy Probe to file its cost claim and to respond to any objections raised by CNPI.

On August 31, 2010, the Board received a cost claim from Energy Probe. No comments were received from CNPI.

Board Findings

The Board has reviewed Energy Probe's cost claim and finds that Energy Probe is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The Board finds that Energy Probe's claim is reasonable and should be reimbursed by CNPI.

THE BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, CNPI shall immediately pay Energy Probe Research Foundation \$3,098.06.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, CNPI shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, September 23, 2010.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary