



**EB-2010-0229**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S.O. 1998, c.15 (Schedule B);

**AND IN THE MATTER OF** an application under  
section 74 of the Ontario Energy Board Act, 1998 by  
Hydro One Networks Inc. for an Order or Orders  
approving exemptions to certain sections of the  
Distribution System Code.

**BEFORE:** Marika Hare  
Presiding Member

Cathy Spoel  
Member

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

### **Background**

Hydro One Networks Inc. ("Hydro One") filed an application dated June 30, 2010. The application consists of two parts. In Part A<sup>1</sup> of its application, Hydro One made specific requests regarding the application of the Board's new cost responsibility rules contained in the Board's October 21, 2009 Notice of Amendment to the Distribution System Code<sup>2</sup> ("DSC"), with respect to the connection of certain renewable generators. In Part B<sup>3</sup> of its application, Hydro One requested an order of the Board amending Hydro One's

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<sup>1</sup> EB-2010-0229, Exh. B

<sup>2</sup> Notice of Amendment to a Code - Amendments to the Distribution System Code, EB-2009-0077, October 21, 2009

<sup>3</sup> EB-2010-0229, Exh. C

electricity distribution licence (ED-2003-0043) to allow exemptions from certain sections of the DSC. The Board assigned the Application file number EB-2010-0229.

On August 25, 2010, the Board issued its Procedural Order No. 1, granting the requests for intervenor status and cost eligibility by Energy Probe and the Association of Power Producers of Ontario ("APPrO"). The Board also granted intervenor status to the Ontario Power Authority and observer status to North Bay Hydro.

The Board issued its Decision and Order on the application on December 20, 2010, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Hydro One.

The Board received cost claims from Energy Probe and APPrO. On January 17, 2011, Hydro One replied to the cost claims stating that it had no concerns with the cost claim submitted by Energy Probe. With respect to the cost claim from APPrO, Hydro One requested that the hourly rates and HST claimed be reviewed to ensure that all the receipts match what has been claimed.

### **Board Findings**

The Board has reviewed the claims filed by Energy Probe and APPrO. The Board has made one adjustment to Energy Probe's cost claim. The Board notes that Energy Probe's total revised claim is \$4,938.97.

Due to a calculation error when calculating Form 3, the Board has adjusted APPrO's cost claim. The Board notes that APPrO's total revised claim is \$29,209.86.

The Board finds that Energy Probe and APPrO are eligible to recover 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that both claims, adjusted as described above, are reasonable and shall be reimbursed by Hydro One.

### **THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the Ontario *Energy Board Act*, 1998, Hydro One shall immediately pay:

- Energy Probe \$4,938.97; and
- Association of Power Producers of Ontario \$29,209.86.

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

**DATED** at Toronto, February 17, 2011

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary