



EB-2009-0269

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 Newmarket
– Tay Power Distribution Inc. for an order approving just
and reasonable rates and other charges for electricity
distribution to be effective May 1, 2010.

BEFORE: Marika Hare
Presiding Member

Ken Quesnelle
Member

DECISION AND ORDER ON COST AWARDS

Background

Newmarket – Tay Power Distribution Inc. ("Newmarket – Tay ") filed an application with the Ontario Energy Board (the "Board") on July 22, 2010, under section 78 of the Ontario Energy Board Act, 1998, S.O. 1998, c. 15, (Schedule B) (the "Act") seeking approval for changes to the rates that Newmarket – Tay charges for electricity distribution, to be effective May 1, 2010. The Board assigned File Number EB-2009-0269 to the application.

On September 8, 2010, the Board issued its Procedural Order No. 1, granting the Consumers Council of Canada ("CCC"), Energy Probe Research Foundation ("Energy Probe"), the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC") intervenor status and cost award eligibility.

The Board issued its Decision and Rate Order on February 24, 2011, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Newmarket – Tay.

The Board received cost claims from CCC, Energy Probe, SEC and VECC. No comments were received from Newmarket – Tay.

Board Findings

The Board has reviewed CCC's, Energy Probe's, SEC's and VECC's cost claims. Due to a calculation error on Form 1, the Board has adjusted Energy Probe's cost claim. Energy Probe's total revised claim is \$17,714.66.

The Board finds the cost claims by CCC, SEC and VECC to be reasonable and that Newmarket – Tay shall reimburse the costs, as noted below, subject to the adjustment referenced above.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Newmarket – Tay shall immediately pay:
 - Consumers Council of Canada \$19,204.35;
 - Energy Probe Research Foundation \$17,714.66;
 - School Energy Coalition \$15,419.08; and
 - Vulnerable Energy Consumers Coalition \$13,205.59.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Newmarket – Tay shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, April 4, 2011.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary