



EB-2010-0377
EB-2010-0378
EB-2010-0379

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

AND IN THE MATTER OF cost award eligibility for
interested stakeholders in relation to consultation
processes on the development of a Renewed Regulatory
Framework for Electricity.

BEFORE: Cynthia Chaplin
Vice-Chair and Presiding Member

SUPPLEMENTAL DECISION ON COST ELIGIBILITY

On February 1, 2011 the Ontario Energy Board (the "Board") issued its Decision on Cost Eligibility in relation to a coordinated consultation process for three inter-related policy initiatives: Distribution Network Investment Planning (EB-2010-0377); Rate Mitigation (EB-2010-0378); and Defining and Measuring Performance of Electricity Transmitters and Distributors (EB-2010-0379).

On May 12, 2011, the Board received a late request for cost award eligibility status in all three of the initiatives from the Canadian Federation of Independent Business ("CFIB"). In its letter CFIB apologizes to the Board for the lateness of its request, indicates that it will accept the record as it stands and expresses interest in providing written comments and participating in stakeholder meetings during the consultation processes.

Based on the criteria set out in section 3.03 of the Board's Practice Direction, the Board has determined that CFIB is eligible for an award of costs in this process. In the ordinary course, electricity distributors and transmitters (the "utilities") would have an opportunity to object to a cost eligibility request. However, given the lateness of CFIB's request the Board is making an expedited decision granting CFIB's cost eligibility, subject to any of the utilities objecting to the cost eligibility request. If a utility

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has any objections to CFIB's request for cost eligibility, such objections must be made by **May 25, 2011** and in accordance with the filing instructions set out below. A copy of the objection must be filed with the Board and one copy must be served on CFIB. If objections are filed, the Board will then make a final determination on the cost eligibility of CFIB. If no objections are received from utilities, this decision granting cost eligibility to CFIB will be deemed final.

All participants eligible for an award of costs in this consultation are reminded that cost awards will be limited to the activities and maximum amounts previously identified by the Board. Further, the Board expects that eligible participants will make every effort to communicate and co-ordinate their participation in this process to the extent that they represent the same interests or class of persons.

Filing Instructions

Two (2) paper copies of each filing must be provided, and should be sent to:

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto, Ontario M4P 1E4

The Board requests that interested stakeholders make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format, and to submit their filings through the Board's web portal at www.errr.OntarioEnergyBoard.ca. A user ID is required to submit documents through the Board's web portal. If you do not have a user ID, please visit the "e-filings services" webpage on the Board's website at www.ontarioenergyboard.ca, and fill out a user ID password request. Additionally, interested stakeholders are requested to follow the document naming conventions and document submission standards outlined in the document entitled "RESS Document Preparation – A Quick Guide" also found on the e-filing services webpage. If the Board's web portal is not available, electronic copies of filings may be filed by e-mail at BoardSec@OntarioEnergyBoard.ca.

Those that do not have internet access should provide a CD containing their filing in PDF format.

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Filings to the Board must be received by the Board Secretary by **4:45 p.m.** on the required date. They must quote the applicable file number(s) (**EB-2010-0377**, **EB-2010-0378** and/or **EB-2010-0379**) and include your name, address, telephone number and, where available, your e-mail address and fax number.

All written comments, requests for cost awards and other filings received by the Board in relation to the initiatives described in this letter will be available for viewing at the Board's offices and will be placed on the Board's website.

ISSUED at Toronto, May 16, 2011

ONTARIO ENERGY BOARD

Original Signed By

John Pickernell
Assistant Board Secretary