



EB-2011-0067

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 the Ontario Waterpower Association pursuant to section 74(1)(b) of the *Ontario Energy Board Act, 1998* to amend Hydro One Networks Inc.'s Electricity Distribution Licence ED-2003-0043 to exempt Hydro One from sections 6.2.4.1(e)(i) and 6.2.18(a) of the Distribution System Code in respect to waterpower generation facilities.

BEFORE: Paul Sommerville
Presiding Member

Marika Hare
Member

Paula Conboy
Member

DECISION AND ORDER ON COST AWARDS

Background

On March 11, 2011, the Ontario Waterpower Association (the "OWA") filed an application with the Ontario Energy Board (the "Board") under section 74(1)(b) of the *Ontario Energy Board Act, 1998* to amend the distribution licence of Hydro One Networks Inc. ("Hydro One") to exempt Hydro One from sections 6.2.4.1(e)(i) and 6.2.18(a) of the Distribution System Code for waterpower generation facilities and to substitute a special rule for waterpower generation facilities.

The Board assigned File Number EB-2011-0067 to the proceeding.

The Board issued a Notice of Application and Hearing and Procedural Order No. 1 on March 30, 2011. The following parties requested and were granted intervenor status in this proceeding: Hydro One Networks Inc., Ontario Power Authority and Canadian Manufacturers & Exporters (“CME”).

On April 14, 2011, the Board granted CME intervenor status and cost eligibility subject to OWA’s right to object within 7 days. No objection was received by OWA.

On May 5, 2011, the Board issued an Oral Decision and Order (“the “Decision”) with respect to the application. In the Decision, the Board set out the dates for CME to file its cost claim and for submissions relating to the cost claim.

On May 25, 2011, CME filed its cost claim and requested that the Board permit the late filing of this cost claim. By a letter dated May 26, 2011, the Board accepted the late filing of CME’s cost claim and set new dates for submissions in relation to the claimed costs.

No comments were received from OWA.

Board Findings

The Board has reviewed CME’s cost claim and finds that CME is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The Board finds CME’s claim to be reasonable.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, the OWA shall immediately pay to the Canadian Manufacturers & Exporters \$1,281.99.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, the OWA shall pay the Board’s costs of and incidental to, this proceeding immediately upon receipt of the Board’s invoice.

DATED at Toronto, July 8, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary