



EB-2007-0771

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 Milton Hydro Distribution Inc., for an order or orders approving or fixing just and reasonable rates and other charges effective May 1, 2006

AND IN THE MATTER OF a Notice of Motion by Milton Hydro Distribution Inc. seeking an Order Varying the Decision and Order of the Board in RP-2005-0020 / EB-2005-0391:

AND IN THE MATTER OF Rules 42, 44.01 and 45.01 of the Board's *Rules of Practice and Procedure*.

BEFORE: Paul Sommerville
Presiding Member

Cynthia Chaplin
Member

DECISION AND ORDER ON COST AWARDS

Background

On September 19, 2007, Milton Hydro Distribution Inc. ("Milton Hydro") filed with the Ontario Energy Board ("the Board"), a Motion to Review the 2006 Rates Decision, made on April 12, 2006. In the motion Milton Hydro requested the review of that part of the 2006 Rates Decision in which the Board denied the recovery of lost revenues due to the bankruptcy of a large volume customer and a subsequent reduction of electricity consumption of a large volume customer due to a change in the nature of its business.

Milton Hydro further seeks an order varying the 2006 rates Decision to allow Milton Hydro to recover the lost revenues by way of a rate rider to rates effective to May 1, 2008. The Board assigned file number EB-2007-0771 to the Motion.

The Board issued its Decision on January 8, 2008, and directed the School Energy Coalition ("SEC") to file their cost claims with the Board and serve Milton Hydro no later than January 22, 2008. Milton Hydro had until January 29th, 2008 to object to any aspect of the costs claimed by SEC and a copy of the objection was to be filed with the Board and one copy served on SEC. SEC was ordered to make a reply submission as to why the cost claim should be allowed by February 5th, 2008.

The SEC filed a cost claim with the Board on January 22, 2008 and copied Milton Hydro.

Milton Hydro did not file an objection to the costs claimed by SEC.

The Board has reviewed SEC's cost claim and has reduced two of the hourly rates submitted by SEC in accordance with the tariff as set out in the Board's Practice Direction on Cost Awards. The Board therefore finds SEC to be entitled to a cost claim in the amount of \$1,508.00 which represents its reasonably incurred costs of participating in this proceeding.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Milton Hydro shall immediately pay SEC its costs equal to \$1,508.00.

DATED at Toronto, February 14, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary