



**EB-2011-0272**

**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 Norfolk Power  
Distribution Inc. for an order approving just and reasonable  
rates and other charges for electricity distribution to be  
effective May 1, 2012.

**BEFORE:** Karen Taylor  
Presiding Member

Ken Quesnelle  
Member

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

### **Background**

Norfolk Power Distribution Inc. (“Norfolk Power”) filed an application with the Ontario Energy Board (the “Board”), received on August 29, 2011 under section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Norfolk Power charges for electricity distribution, to be effective May 1, 2012. The Board assigned File Number EB-2011-0272 to the application.

On October 7, 2011, the Board issued its Procedural Order No. 1, granting Energy Probe Research Foundation (“Energy Probe”), School Energy Coalition (“SEC”) and Vulnerable Energy Consumers Coalition (“VECC”) intervenor status. The Board also

determined that Energy Probe, SEC and VECC were eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

On February 13, 2012, the Board issued its Decision and Order, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Norfolk Power.

On March 11, 2012, the Board received cost claims from Energy Probe and VECC. The cost claim filed by SEC was received on March 18, 2012, and is accepted by the Board notwithstanding the late filing. No comments were received from Norfolk Power.

### **Board Findings**

The Board has reviewed Energy Probe's, SEC's and VECC's cost claims. The Board notes that due to a calculation error on the Affidavit and Summary of Fees and Disbursements, the Board has adjusted VECC's cost claim by \$10. VECC's total revised claim is \$10,095.17.

The Board finds that Energy Probe, SEC and VECC are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that Energy Probe and SEC cost claims are reasonable as is the adjusted claim of VECC and shall be reimbursed by Norfolk Power.

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

1. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, Norfolk Power shall immediately pay:
  - Energy Probe Research Foundation \$13,418.51;
  - School Energy Coalition \$14,190.00; and
  - Vulnerable Energy Consumers Coalition \$10,095.17.

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

**DATED** at Toronto, May 1, 2012.

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary