



EB-2010-0142

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 Toronto
Hydro-Electric System Limited for an order approving just
and reasonable rates and other charges for electricity
distribution.

BEFORE: Ken Quesnelle
Presiding Member

Marika Hare
Member

Karen Taylor
Member

DECISION AND ORDER ON COST AWARDS
May 23, 2012

Background

Toronto Hydro-Electric System Limited ("THESL") filed an application, dated August 23, 2010, with the Ontario Energy Board 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 THESL charges for electricity distribution, to be effective May 1, 2011. The Board assigned File Number EB-2010-0142 to the application.

In Procedural Order No. 1 dated October 18, 2010, the Board approved the following parties as intervenors eligible for an award of costs in this proceeding:

- Association of Major Power Consumers in Ontario (“AMPCO”);
- Building Owners and Managers Association of the Greater Toronto Area (“BOMA”);
- Consumers Council of Canada (“CCC”);
- Energy Probe Research Foundation (“Energy Probe”);
- Pollution Probe;
- School Energy Coalition (“SEC”); and
- Vulnerable Energy Consumers Coalition (“VECC”).

On July 7, 2011, the Board issued its Partial Decision and Order (the “Partial Decision”) in this proceeding. Among other things, the Partial Decision found that while all findings in the Partial Decision are final and would result in a final rate order for 2011 rates, the Board would require supplementary evidence to be filed on the suite metering issues as outlined in the Partial Decision (the “supplementary evidence”).

The Board issued its Decision and Order on Suite Metering Issues (the “Suite Metering Decision”) on February 22, 2012. A corrected version of the Suite Metering Decision was issued on March 9, 2012.

On April 17, 2012, the Board issued its Decision on Draft Order Regarding Suite Metering Issues, in which it set out the process for intervenors to file any new or amended cost claims and to respond to any objections raised by THESL.

The Board received cost claims from CCC, SEC and VECC related to the supplementary evidence phase of this proceeding. By letters dated April 13, 2012 and April 19, 2012, THESL stated that it had no objections to any of these claims.

Board Findings

The Board has reviewed the cost claims of CCC, SEC and VECC. 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. VECC’s total adjusted claim is \$14,269.41.

The Board finds that each of CCC, SEC and VECC are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that the

claims of CCC and SEC are reasonable as is the adjusted claim of VECC and that each of CCC, SEC and VECC shall be reimbursed by THESL.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, THESL shall immediately pay:
 - Consumers Council of Canada \$7,830.90;
 - School Energy Coalition \$6,105.00; and
 - Vulnerable Energy Consumers Coalition \$14,269.41.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, THESL shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, May 23, 2012.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary