



EB 2012-0003

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

AND IN THE MATTER OF a cost award for
participation in a consultation process to develop
guidelines for electricity conservation and demand
management activities.

BEFORE: Marika Hare
Presiding Member

Cathy Spoel
Member

DECISION AND ORDER ON COST AWARDS
August 16, 2012

Background

On January 5, 2012, the Board began a consultation process to develop guidelines for electricity conservation and demand management (“CDM”) activities to provide more specific guidance on certain provisions in the CDM Code and what evidence should be filed by distributors in support of an application for Board-Approved CDM programs.

The Board’s letter indicated that parties that were found eligible for an award of costs in the CDM Code proceeding (EB-2010-0215) and/or the CDM Targets proceeding (EB-2010-0216) were deemed eligible for cost awards in this consultation.

The Board’s letter also notified interested parties that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (the “Act”)

in relation to the provision of written comments on the CDM Guidelines set out in the letter, to a maximum of eight (8) hours.

The Board received 16 written submissions in total, from a variety of stakeholders. After reviewing the written submissions, the Board concluded that no material changes were required and the CDM Guidelines were issued on April 26, 2012.

On May 11, 2012, the Board issued a Notice of Hearing for Cost Awards (the "Notice") initiating a hearing on its own motion in order to determine the cost awards that will be made under section 30 of the Act in relation to this consultation. The letter also stated that any costs awarded would be recovered from all rate-regulated licensed electricity distributors based on their respective distribution revenues.

The Board received cost claims from the Building Owners and Managers Association ("BOMA"); the Canadian Manufacturers & Exporters ("CME"); the London Property Management Association ("LPMA"); the Low Income Energy Network ("LIEN"); the School Energy Coalition ("SEC"); and the Vulnerable Energy Consumers Coalition ("VECC"). No objections to the cost claims were received by the Board from any rate-regulated licensed electricity distributor.

On June 11, 2012 the Board issued its Decision and Order on Cost Awards approving the cost claims filed by all parties.

On June 13, 2012 Pollution Probe filed a late cost claim seeking recovery of its costs incurred in the CDM Guidelines consultation.

On June 20, 2012 the Board issued its Supplemental Notice of Hearing for Cost Awards initiating its supplemental hearing on its own motion in order to determine the reasonableness of Pollution Probe's cost claim. The Supplemental Notice also stated that any costs awarded would be recovered from all rate-regulated licensed electricity distributors based on their respective distribution revenues.

Board Findings

The Board has reviewed Pollution Probe's cost claim and finds that the cost claim filed by Pollution Probe is in accordance with the overall limits set out in the Board's January 5, 2012 letter.

The Board finds that Pollution Probe is entitled to 100% of its reasonably incurred costs of participating in this consultation.

The amount payable by each individual rate-regulated licensed electricity distributor in relation to the costs awarded to Pollution Probe is listed in Appendix A to this Decision and Order.

Process for Paying Cost Awards

As indicated in the Board's January 5, 2012 letter, the Board will use the process set out in section 12 of its *Practice Direction on Cost Awards* to implement the payment of the cost awards. Therefore, the Board will act as a clearing house for all payments of cost awards relating to this consultation process. Invoices will be issued to distributors at the same time as are invoices for cost assessments made under section 26 of the Act. The practice of the Board is to issue to each distributor one invoice that covers all cost awards payable by the distributor for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations, including this one.

THE BOARD THEREFORE ORDERS THAT:

1. The amounts to be paid by each individual distributor in relation to the costs awarded to Pollution Probe are as set out in Appendix A to this Decision and Order.
2. The individual distributors listed in Appendix A to this Decision and Order shall pay the costs awarded to Pollution Probe as set out in Appendix A.
3. Payment of cost awards referred to in paragraph 2 shall be made to the Ontario Energy Board in accordance with the invoice issued to the individual distributor and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto, August 16, 2012.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix A

**To the Board's Decision and Order on Cost Awards
Dated August 16, 2012**

EB-2012-0003

Electricity Distribution System Owner/Operator	Pollution Probe	TOTAL
Algoma Power Inc.	10.16	10.16
Atikokan Hydro Inc.	0.68	0.68
Attawapiskat Power Corp.	0.53	0.53
Bluewater Power Distribution Corporation	11.05	11.05
Brant County Power Inc.	3.44	3.44
Brantford Power Inc.	9.17	9.17
Burlington Hydro Inc.	17.11	17.11
Cambridge And North Dumfries Hydro Inc.	13.47	13.47
Canadian Niagara Power Inc.	9.66	9.66
Centre Wellington Hydro Ltd.	1.65	1.65
Chapleau Public Utilities Corporation	0.36	0.36
Chatham-Kent Hydro Inc.	8.56	8.56
Clinton Power Corporation	0.32	0.32
Collus Power Corp.	3.32	3.32
Cooperative Hydro Embrun Inc.	0.41	0.41
E.L.K. Energy Inc.	2.59	2.59
Enersource Hydro Mississauga Inc.	67.45	67.45
Enwin Utilities Ltd.	28.64	28.64
Erie Thames Powerlines Corporation	3.74	3.74
Espanola Regional Hydro Distribution Corporation	0.78	0.78
Essex Powerlines Corporation	6.30	6.30
Festival Hydro Inc.	5.57	5.57
Fort Albany Power Corp.	0.37	0.37
Fort Frances Power Corporation	0.90	0.90
Greater Sudbury Hydro Inc.	13.16	13.16
Grimsby Power Incorporated	2.03	2.03
Guelph Hydro Electric Systems Inc.	14.15	14.15
Haldimand County Hydro Inc.	7.74	7.74
Halton Hills Hydro Inc.	5.54	5.54
Horizon Utilities Corporation	50.92	50.92
Hydro Hawkesbury Inc.	0.75	0.75
Hearst Power Distribution Company Limited	0.46	0.46
Hydro 2000 Inc.	0.18	0.18
Hydro One Brampton Networks Inc.	36.01	36.01

Electricity Distribution System Owner/Operator	Pollution Probe	TOTAL
Hydro One Networks Inc.	648.12	648.12
Hydro Ottawa Limited	84.25	84.25
Innisfil Hydro Distribution Systems Limited	4.52	4.52
Kashechewan Power Corp.	0.50	0.50
Kenora Hydro Electric Corporation Ltd.	1.25	1.25
Kingston Hydro Corporation	5.59	5.59
Kitchener-Wilmot Hydro Inc.	20.83	20.83
Lakefront Utilities Inc.	2.47	2.47
Lakeland Power Distribution Ltd.	2.71	2.71
London Hydro Inc.	35.14	35.14
Middlesex Power Distribution Corporation	1.87	1.87
Midland Power Utility Corporation	2.03	2.03
Milton Hydro Distribution Inc.	7.12	7.12
Newmarket - Tay Power Distribution Ltd.	8.96	8.96
Niagara Peninsula Energy Inc.	15.58	15.58
Niagara-On-The-Lake Hydro Inc.	2.66	2.66
Norfolk Power Distribution Inc.	6.29	6.29
North Bay Hydro Distribution Limited	6.54	6.54
Northern Ontario Wires Inc.	1.53	1.53
Oakville Hydro Electricity Distribution Inc.	17.66	17.66
Orangeville Hydro Limited	2.82	2.82
Orillia Power Distribution Corporation	4.21	4.21
Oshawa Puc Networks Inc.	11.29	11.29
Ottawa River Power Corporation	2.09	2.09
Parry Sound Power Corporation	1.04	1.04
Peterborough Distribution Incorporated	8.65	8.65
Powerstream Inc.	92.65	92.65
PUC Distribution Inc.	8.64	8.64
Renfrew Hydro Inc.	0.92	0.92
Rideau St. Lawrence Distribution Inc.	1.24	1.24
St. Thomas Energy Inc.	3.68	3.68
Sioux Lookout Hydro Inc.	1.04	1.04
Thunder Bay Hydro Electricity Distribution Inc.	10.09	10.09
Tillsonburg Hydro Inc.	1.89	1.89
Toronto Hydro-Electric System Limited	299.16	299.16

Electricity Distribution System Owner/Operator	Pollution Probe	TOTAL
Veridian Connections Inc.	27.75	27.75
Wasaga Distribution Inc.	2.26	2.26
Waterloo North Hydro Inc.	14.76	14.76
Welland Hydro-Electric System Corp.	5.12	5.12
Wellington North Power Inc.	1.06	1.06
West Coast Huron Energy Inc.	1.28	1.28
West Perth Power Inc.	0.50	0.50
Westario Power Inc.	5.18	5.18
Whitby Hydro Electric Corporation	10.81	10.81
Woodstock Hydro Services Inc.	3.82	3.82
<i>TOTAL</i>	\$1,734.75	\$1,734.75