



EB-2012-0219

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 Midland Power Utility Corporation for an order or orders approving or fixing just and reasonable distribution rates and other charges, to be effective May 1, 2012.

AND IN THE MATTER OF a Motion to Review and Vary by Midland Power Utility Corporation pursuant to the Ontario Energy Board's *Rules of Practice and Procedure* for a review of the Board's Decision and Order in proceeding EB-2011-0182.

BEFORE: Cynthia Chaplin
Vice Chair and Presiding Member

Karen Taylor
Member

DECISION AND ORDER ON COST AWARDS
August 22, 2012

Background

On April 24, 2012, Midland Power Utility Corporation ("Midland") filed with the Ontario Energy Board a Notice of Motion to Review and Vary (the "Motion") the Board's Decision and Order dated April 4, 2012 in respect of Midland's 2012 rate application (EB-2011-0182). The Board assigned the Motion file number EB-2012-0219. On May 8, 2012, the Board issued its Notice of Motion to Vary and Procedural Order No. 1, granting the Vulnerable Energy Consumers Coalition ("VECC") intervenor status. The

Board also determined that given the nature of the Motion, it was appropriate to grant VECC cost award eligibility for purposes of participating in the Motion.

On July 12, 2012, the Board issued its Decision with Reasons and Order on Motion to Review and Vary, in which it set out the process for VECC to file its cost claims and to respond to any objections raised by Midland.

VECC's cost claim was received by the Board on July 26, 2012 and is accepted by the Board notwithstanding the late filing. No comments were received from Midland.

Board Findings

The Board has reviewed VECC's cost claim and finds that VECC is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The Board finds that VECC's cost claim is reasonable and Midland shall reimburse VECC for its costs.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Midland shall immediately pay Vulnerable Energy Consumers Coalition \$1,166.21.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Midland shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, August 22, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary