



EB-2011-0120

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 Canadian
Distributed Antenna Systems Coalition for certain orders
under the *Ontario Energy Board Act*, 1998.

BEFORE: Cynthia Chaplin
Vice Chair and Presiding Member

Ken Quesnelle
Member

Karen Taylor
Member

DECISION AND ORDER ON COST AWARDS
December 13, 2012

Background

The Canadian Distributed Antenna Systems Coalition ("CANDAS") filed an application on April 25, 2011, subsequently amended by letters dated May 3 and June 7, 2011. The Board assigned File Number EB-2011-0120 to the application. The Board issued its Decision and Order on September 13, 2012.

On June 13, 2011, the Board issued its Procedural Order No. 1, granting the Consumers Council of Canada ("CCC"), Energy Probe Research Foundation ("Energy Probe") and the Vulnerable Energy Consumers Coalition ("VECC") intervenor status and cost award eligibility.

On November 1, 2012, the Board issued its Decision on Cost Eligibility and Cost Responsibility and Order, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by CANDAS. In the same Decision, the Board also determined that CANDAS would be responsible to pay 50% of the costs awarded and the remaining 50% would be paid by all rate-regulated electricity distributors. The Board stated that the amount to be paid by electricity distributors would be allocated to them on the basis of distribution revenue.

The Board received cost claims from CCC, Energy Probe and VECC. By letter dated November 27, 2012, CANDAS stated that it had no submissions to make with respect to the claims submitted by CCC, Energy Probe, and VECC.

Board Findings on the Cost Claims of the Cost Eligible Intervenors

The Board has reviewed the cost claims of CCC, Energy Probe, and VECC to ensure that they are compliant with the Board's *Practice Direction on Cost Awards* (the "Practice Direction").

Due to an error when calculating the Affidavit and Summary of Fees and Disbursements, the Board has adjusted Energy Probe's cost claim. The Board awards Energy Probe a total revised claim of \$70,774.31.

The Board finds that VECC's cost claim included disbursements that do not comply with the Board's Practice Direction. The Board has therefore made an adjustment to reduce the disbursements by \$11.55. The Board notes that VECC's total revised claim is \$32,137.96.

The Board finds that the claim of CCC is reasonable as are the adjusted claims for Energy Probe and VECC and that these parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding.

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

Process for Paying Cost Awards

The Board will use the process set out in section 12 of its Practice Direction 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 proceeding. Invoices will be issued to distributors at the same time as are invoices for cost assessments made under section 26 of the *Ontario Energy Board Act, 1998*. 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 proceedings, including this one. Given the protracted nature of this proceeding, the Board will issue payment to the cost eligible intervenors in advance of collecting the funds from each distributor. These payments will be issued immediately following the issuance of this Order.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, CANDAS shall immediately pay its 50% share of cost eligible intervenor costs as follows:
 - Consumers Council of Canada \$91,633.65;
 - Energy Probe Research Foundation \$35,387.15; and
 - Vulnerable Energy Consumers Coalition \$16,068.98.
2. The amounts to be paid by each individual distributor in relation to 50% of the costs awarded to each cost eligible intervenor are as set out in Appendix A to this Decision and Order.
3. The individual distributors listed in Appendix A to this Decision and Order shall pay the costs awarded to each of the cost eligible intervenors as set out in Appendix A.
4. 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 *Ontario Energy Board Act, 1998* are due.

5. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, CANDAS shall pay half of the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.
6. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, distributors listed at Appendix A shall each pay their respective share of half of the Board's costs of and incidental to, this proceeding and these costs shall be due at the same time as cost assessments under section 26 of the *Ontario Energy Board Act, 1998* are due.

DATED at Toronto, December 13, 2012.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

**To the Board's Decision and Order on Cost Awards
Dated December 13, 2012**

EB-2011-0120

Electricity Distribution System Owner/Operator	CCC	EPRF	VECC	Total
ALGOMA POWER INC.	\$ 534.45	\$ 206.39	\$ 93.72	\$ 834.56
ATIKOKAN HYDRO INC.	\$ 35.28	\$ 13.62	\$ 6.19	\$ 55.09
ATTAWAPISKAT POWER CORP.	\$ 27.93	\$ 10.79	\$ 4.90	\$ 43.61
Bluewater Power Distribution Corporation	\$ 582.35	\$ 224.89	\$ 102.12	\$ 909.36
BRANT COUNTY POWER INC.	\$ 180.70	\$ 69.78	\$ 31.69	\$ 282.17
BRANTFORD POWER INC.	\$ 483.13	\$ 186.57	\$ 84.72	\$ 754.42
BURLINGTON HYDRO INC.	\$ 906.25	\$ 349.98	\$ 158.92	\$ 1,415.15
CAMBRIDGE AND NORTH DUMFRIES HYDRO INC.	\$ 716.60	\$ 276.74	\$ 125.66	\$ 1,119.00
CANADIAN NIAGARA POWER INC.	\$ 509.70	\$ 196.84	\$ 89.38	\$ 795.92
CENTRE WELLINGTON HYDRO LTD.	\$ 86.98	\$ 33.59	\$ 15.25	\$ 135.82
Chapleau Public Utilities Corporation	\$ 18.70	\$ 7.22	\$ 3.28	\$ 29.20
Entegrus Powerlines Inc.	\$ 553.70	\$ 213.83	\$ 97.10	\$ 864.63
COLLUS POWERSTREAM CORP.	\$ 175.55	\$ 67.79	\$ 30.78	\$ 274.12
COOPERATIVE HYDRO EMBRUN INC.	\$ 21.75	\$ 8.40	\$ 3.81	\$ 33.96
E.L.K. ENERGY INC.	\$ 135.46	\$ 52.31	\$ 23.75	\$ 211.53
ENERSOURCE HYDRO MISSISSAUGA INC.	\$ 3,544.09	\$ 1,368.66	\$ 621.50	\$ 5,534.24
ENWIN UTILITIES LTD.	\$ 1,510.43	\$ 583.30	\$ 264.87	\$ 2,358.60
Erie Thames Powerlines Corporation	\$ 240.48	\$ 92.87	\$ 42.17	\$ 375.52
Espanola Regional Hydro Distribution Corporation	\$ 40.79	\$ 15.75	\$ 7.15	\$ 63.70
Essex Powerlines Corporation	\$ 334.19	\$ 129.06	\$ 58.60	\$ 521.84
FESTIVAL HYDRO INC.	\$ 293.48	\$ 113.33	\$ 51.46	\$ 458.27
FORT ALBANY POWER CORP.	\$ 19.39	\$ 7.49	\$ 3.40	\$ 30.28
Fort Frances Power Corporation	\$ 47.07	\$ 18.18	\$ 8.25	\$ 73.50
GREATER SUDBURY HYDRO INC.	\$ 692.56	\$ 267.45	\$ 121.45	\$ 1,081.47
Grimsby Power Incorporated	\$ 106.57	\$ 41.16	\$ 18.69	\$ 166.42
GUELPH HYDRO ELECTRIC SYSTEMS INC.	\$ 745.20	\$ 287.78	\$ 130.68	\$ 1,163.67
HALDIMAND COUNTY HYDRO INC.	\$ 405.02	\$ 156.41	\$ 71.02	\$ 632.46
HALTON HILLS HYDRO INC.	\$ 291.26	\$ 112.48	\$ 51.08	\$ 454.82
Horizon Utilities Corporation	\$ 2,675.35	\$ 1,033.17	\$ 469.15	\$ 4,177.67
HYDRO HAWKESBURY INC.	\$ 39.95	\$ 15.43	\$ 7.01	\$ 62.38
Hearst Power Distribution Company Limited	\$ 23.96	\$ 9.25	\$ 4.20	\$ 37.41
HYDRO 2000 INC.	\$ 9.60	\$ 3.71	\$ 1.68	\$ 15.00
HYDRO ONE BRAMPTON NETWORKS INC.	\$ 1,894.77	\$ 731.72	\$ 332.27	\$ 2,958.77
HYDRO ONE NETWORKS INC.	\$ 34,275.09	\$ 13,236.38	\$ 6,010.52	\$ 53,521.99

Electricity Distribution System Owner/Operator	CCC	EPRF	VECC	Total
Hydro Ottawa Limited	\$ 4,428.99	\$ 1,710.39	\$ 776.67	\$ 6,916.05
Innisfil Hydro Distribution Systems Limited	\$ 237.92	\$ 91.88	\$ 41.72	\$ 371.52
KASHECHEWAN POWER CORP.	\$ 26.15	\$ 10.10	\$ 4.59	\$ 40.83
KENORA HYDRO ELECTRIC CORPORATION LTD.	\$ 65.42	\$ 25.26	\$ 11.47	\$ 102.16
Kingston Hydro Corporation	\$ 291.47	\$ 112.56	\$ 51.11	\$ 455.14
KITCHENER-WILMOT HYDRO INC.	\$ 1,105.41	\$ 426.89	\$ 193.85	\$ 1,726.14
LAKEFRONT UTILITIES INC.	\$ 129.82	\$ 50.13	\$ 22.77	\$ 202.72
LAKELAND POWER DISTRIBUTION LTD.	\$ 143.23	\$ 55.31	\$ 25.12	\$ 223.66
LONDON HYDRO INC.	\$ 1,861.47	\$ 718.86	\$ 326.43	\$ 2,906.76
Midland Power Utility Corporation	\$ 107.20	\$ 41.40	\$ 18.80	\$ 167.39
MILTON HYDRO DISTRIBUTION INC.	\$ 374.78	\$ 144.73	\$ 65.72	\$ 585.24
NEWMARKET - TAY POWER DISTRIBUTION LTD.	\$ 470.93	\$ 181.86	\$ 82.58	\$ 735.38
NIAGARA PENINSULA ENERGY INC.	\$ 817.24	\$ 315.60	\$ 143.31	\$ 1,276.15
NIAGARA-ON-THE-LAKE HYDRO INC.	\$ 139.36	\$ 53.82	\$ 24.44	\$ 217.62
NORFOLK POWER DISTRIBUTION INC.	\$ 329.36	\$ 127.19	\$ 57.76	\$ 514.31
North Bay Hydro Distribution Limited	\$ 347.10	\$ 134.04	\$ 60.87	\$ 542.01
NORTHERN ONTARIO WIRES INC.	\$ 80.39	\$ 31.05	\$ 14.10	\$ 125.53
OAKVILLE HYDRO ELECTRICITY DISTRIBUTION INC.	\$ 933.70	\$ 360.58	\$ 163.73	\$ 1,458.01
Orangeville Hydro Limited	\$ 149.29	\$ 57.65	\$ 26.18	\$ 233.13
Orillia Power Distribution Corporation	\$ 222.88	\$ 86.07	\$ 39.08	\$ 348.04
OSHAWA PUC NETWORKS INC.	\$ 592.58	\$ 228.84	\$ 103.91	\$ 925.33
Ottawa River Power Corporation	\$ 109.82	\$ 42.41	\$ 19.26	\$ 171.50
Parry Sound Power Corporation	\$ 55.00	\$ 21.24	\$ 9.65	\$ 85.89
Peterborough Distribution Incorporated	\$ 457.21	\$ 176.57	\$ 80.18	\$ 713.95
POWERSTREAM INC.	\$ 4,897.24	\$ 1,891.22	\$ 858.79	\$ 7,647.24
PUC DISTRIBUTION INC.	\$ 451.68	\$ 174.43	\$ 79.21	\$ 705.32
RENFREW HYDRO INC.	\$ 48.40	\$ 18.69	\$ 8.49	\$ 75.58
RIDEAU ST. LAWRENCE DISTRIBUTION INC.	\$ 65.14	\$ 25.16	\$ 11.42	\$ 101.72
ST. THOMAS ENERGY INC.	\$ 193.53	\$ 74.74	\$ 33.94	\$ 302.21
SIOUX LOOKOUT HYDRO INC.	\$ 54.67	\$ 21.11	\$ 9.59	\$ 85.36
THUNDER BAY HYDRO ELECTRICITY DISTRIBUTION INC.	\$ 528.32	\$ 204.03	\$ 92.65	\$ 824.99
TILLSONBURG HYDRO INC.	\$ 101.00	\$ 39.00	\$ 17.71	\$ 157.72
Toronto Hydro-Electric System Limited	\$ 15,861.39	\$ 6,125.37	\$ 2,781.47	\$ 24,768.23
VERIDIAN CONNECTIONS INC.	\$ 1,464.68	\$ 565.63	\$ 256.85	\$ 2,287.16
WASAGA DISTRIBUTION INC.	\$ 118.84	\$ 45.89	\$ 20.84	\$ 185.57
WATERLOO NORTH HYDRO INC.	\$ 775.15	\$ 299.35	\$ 135.93	\$ 1,210.43
WELLAND HYDRO-ELECTRIC SYSTEM CORP.	\$ 271.46	\$ 104.83	\$ 47.60	\$ 423.90

Electricity Distribution System Owner/Operator	CCC	EPRF	VECC	Total
WELLINGTON NORTH POWER INC.	\$ 55.70	\$ 21.51	\$ 9.77	\$ 86.97
WEST COAST HURON ENERGY INC.	\$ 68.48	\$ 26.45	\$ 12.01	\$ 106.94
WESTARIO POWER INC.	\$ 274.26	\$ 105.91	\$ 48.09	\$ 428.26
Whitby Hydro Electric Corporation	\$ 568.76	\$ 219.64	\$ 99.74	\$ 888.14
WOODSTOCK HYDRO SERVICES INC.	\$ 200.45	\$ 77.41	\$ 35.15	\$ 313.01
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	\$ 91,633.64	\$ 35,387.16	\$ 16,068.98	\$143,089.78
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