



EB-2012-0033

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 Enersource
Hydro Mississauga Inc. for an order approving just and
reasonable rates and other charges for electricity
distribution to be effective January 1, 2013 and January 1,
2014.

BEFORE: Cynthia Chaplin
Vice Chair and Presiding Member

Paula Conboy
Member

DECISION AND ORDER ON COST AWARDS
March 8, 2013

Background

Enersource Hydro Mississauga Inc. ("Enersource") is a licensed electricity distributor serving approximately 250,000 customers in the City of Mississauga. Enersource filed an application on April 27, 2012, updated on May 17, 2012, under section 78 of the *Ontario Energy Board Act*, 1998. Through this application Enersource sought approval for changes to the rates that Enersource charges for electricity distribution, to be effective January 1, 2013 and January 1, 2014. The Board assigned File Number EB-2012-0033 to the application.

On June 14, 2012, the Board issued Procedural Order No. 1, granting the Association of Major Power Consumers in Ontario ("AMPCO"), the Consumers Council of Canada

("CCC"), the Energy Probe Research Foundation ("Energy Probe"), the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC") intervenor status and cost award eligibility.

On December 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 Enersource.

On January 24, 2013, the Board issued its Rate Order.

The Board received cost claims from AMPCO, CCC, Energy Probe, SEC and VECC. No comments were received from Enersource.

Board Findings

The Board has reviewed the claims filed and considered the contributions of the intervenors to the proceeding. The Board notes that SEC and EP were involved on a broad range of topics and were active in cross examination and argument. They have claimed \$64,944.00 and \$56,722.50 in fees (before HST) respectively. The Board finds these claims to be reasonable. VECC was involved on fewer issues and its lower claim of \$40,768.50 (before HST) in fees is also reasonable. Each of these claimants will also be awarded the disbursements claimed, subject to a small adjustment for an error on VECC's claim.

AMPCO has claimed \$50,912.00 (before HST) in fees. AMPCO's involvement was on limited number of issues. This targeted level of involvement is entirely appropriate, but the Board finds that the claimed fees are excessive on an absolute basis given the level of involvement and also excessive relative to the claims of SEC, EP and VECC. The Board will reduce AMPCO's award to \$41,000.00 (plus HST and disbursements). This results in an award equivalent to that granted to VECC. The Board finds that this is appropriate given the level of AMPCO's involvement and its contribution to the Board's understanding of the issues. Disbursements will be awarded as claimed.

CCC has claimed \$72,897.00 in fees (before HST). CCC's involvement was also targeted on a small number of issues. Again, the Board finds this to be appropriate, but concludes that the claim is excessive on an absolute basis given the level of

involvement and excessive relative to the claims of SEC, EP and VECC. The Board will award CCC \$41,000.00 (plus HST and disbursements). This results in an award equivalent to that granted to VECC and AMPCO. The Board finds that this is appropriate given CCC's level of involvement and contribution to the Board's understanding of the issues. Disbursements will be awarded as claimed.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enersource shall immediately pay:

Association of Major Power Consumers in Ontario	\$46,565.44;
Consumers Council of Canada	\$46,471.88;
Energy Probe Research Foundation	\$62,229.83;
School Energy Coalition	\$64,944.00; and
Vulnerable Energy Consumers Coalition	\$44,061.98.

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

DATED at Toronto, March 8, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary