



May 6, 2008

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: EB-2007-0696 Intervenor Claims for Cost Awards in EB-2007-0696, 2008 Rate Rebasing Application for Halton Hills Hydro Inc.**

Please find enclosed a letter of dispute to intervenor claims to cost awards in Halton Hills Hydro Inc.'s 2008 Rate Rebasing Application file number EB-2007-0696.

If you have any questions or concerns, please direct them to Arthur Skidmore, Corporate Vice-President and Chief Financial Officer, [askidmore@haltonhillshydro.com](mailto:askidmore@haltonhillshydro.com), (519) 853-3700 extension 225, or Tracy Rehberg-Rawlingson, Regulatory Affairs Officer, [tracyr@haltonhillshydro.com](mailto:tracyr@haltonhillshydro.com), (519) 853-3700 extension 257.

Sincerely,

Arthur A. Skidmore, CMA  
Corporate Vice-President &  
Chief Financial Officer

cc: Dan Guatto, P. Eng, President  
Bryan Boyce, Chair

## Dispute of Cost Award Claims in proceeding EB-2007-0696

Halton Hills Hydro Inc. is requesting additional information from the intervenors, School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC), in the 2008 Rate Rebasing Application, Board file number EB-2007-0696. In addition, Halton Hills Hydro Inc. is disputing cost award claims submitted by SEC and VECC.

### Request for Additional Information

The Ontario Energy Board's Practice Direction on Cost Awards, revised November 16, 2007, details the information required for claims of cost awards. In section 6.10, it states that Form 1 include:

*"A copy of the consultant's curriculum vitae must be attached to the Statement of Costs forms (Appendix "B")."*

VECC submitted Form 1, Summary Statement of Hours-Consultants and Legal Counsel, for consultants Bill Harper and Roger Higgins (Ecoanalysis). Halton Hills Hydro Inc. requests the curriculum vitae for both Mr. Harper and Mr. Higgins.

### Dispute of Cost Award claims by SEC and VECC

Practice Direction on Cost Awards section 5.01, sub-sections (c), (d), and (e) states that the Board may consider, amongst other things, whether the party:

- "(c) made reasonable efforts to ensure that its evidence was not unduly repetitive of evidence presented by other parties;*
- (d) made reasonable efforts to co-operate with other parties in order to reduce the duplication of evidence and questions on cross-examination;*
- (e) made reasonable efforts to combine its intervention with that of similarly interested parties;"*

Halton Hills Hydro Inc. noted that there were many interrogatory questions that were duplicates of both the Board Staff and each intervenor. The OEB document states that duplication should be minimized as much as possible. Halton Hills Hydro Inc. requests the Board take into consideration the immense duplication in interrogatories that resulted in addition hours to Halton Hills Hydro Inc.

Also, Section 10.02 of the Practice Direction on Cost Awards states:

*"A party, eligible to apply for an award of costs, must address the reasons why costs should be awarded, as well as submit its detailed cost claims in a Board approved format, with receipts attached, within 21 calendar days of the filing of final argument, or at a time directed by the Board. One copy is to be filed with the Board and one copy served on each of the parties from whom costs are being claimed."*

Halton Hills Hydro Inc. would also like to dispute the Cost Award Tariff (Practice Direction on Cost Awards, Appendix "A") submitted by legal counsel John De Vellis. On Form 1 for Mr. De Vellis, the Year of Call is listed as 2002 with the hours submitted being charged at a rate of \$165.00 (legal counsel with 6 to 10 completed years practicing) prior to November 16, 2007 and a rate of \$230.00 (legal counsel with 6 to 10 completed years practicing) as per Appendix A of the current document. The 2008 rebasing process was begun in 2007 when Mr. De Vellis would have had less than 6 years completed years practicing and the hours submitted for time after November 16, 2007 would also not qualify as the Cost Awards Tariff states the qualifying years are "completed years practicing".

Halton Hills Hydro Inc. would also like the Board to note that VECC engaged in Interrogatories 1 & 2, made a final submission and commented on the Draft Rate Order submitted by Halton Hills Hydro Inc. The total number of hours submitted for VECC was 38.95 hrs. SEC engaged in only Interrogatory 1 and final submission. SEC did not file any Interrogatories for round 2, nor did the comment of the Draft Rate Order submitted by Halton Hills Hydro Inc., yet the hours submitted for SEC were 98.2 hrs. There is a large discrepancy between the amount of work performed and the hours submitted.

Respectfully submitted,