



**EB-2012-0136**

**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 Hydro One Networks Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective January 1, 2013.

**BEFORE:** Cynthia Chaplin  
Vice Chair and Member

## **DECISION AND ORDER ON COST AWARDS**

**April 26, 2013**

### **Background**

Hydro One Networks Inc. (Hydro One) filed an application, dated June 15, 2012, with the Ontario Energy Board under section 78 of the *Ontario Energy Board Act*, 1998, c.15, Schedule B, and the Board's Incentive Regulation Mechanism (IRM) framework seeking approval for changes to the rates that Hydro One charges for electricity distribution, to be effective January 1, 2013. Hydro One has also applied for an adjustment to the rates it charges to accommodate proposed spending on projects contained in an Incremental Capital Module (ICM). The Board assigned File Number EB-2012-0136 to the application.

On August 9, 2012, the Board issued its Decision and Procedural Order No.4 on Intervenor Status, Cost Award Eligibility and Procedural Order No. 1 and Order, granting the Association of Major Power Consumers in Ontario (AMPCO), Canadian Manufacturers and Exporters (CME), Energy Probe Research Foundation (Energy

Probe), Ontario Federation of Agriculture (OFA), School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) intervenor status and cost award eligibility. On August 14, 2012, the Board granted late intervention status to the Consumers Council of Canada (CCC).

On December 14, 2012, the Board issued its Decision on Hydro One's 2013 distribution rates and on December 20, 2012 issued Hydro One's 2013 Distribution Rate Order. The Board also determined that it would hold a written proceeding within this application, with regard to the issue of Payments In Lieu of Taxes (PILS) Account 1562.

On March 14, 2013, the Board issued its Decision and Order on Account 1562 PILS Threshold Question, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Hydro One.

Cost claims were submitted by CME, Energy Probe and SEC by the March 21, 2013 deadline specified in the Decision and Order. CCC submitted its cost claims on March 22, 2013, AMPCO and VECC on March 25, 2013. No comments were received from Hydro One. The OFA did not file a cost claim.

## **Board Findings**

The Board has reviewed all the cost claims. The Board accepts the cost claims filed by AMPCO, CCC and VECC notwithstanding the late filing.

The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The claims of CME and VECC have each been subject to minor reductions for one or both of the following reasons: error in HST calculation; and failure to comply with the government's *Travel, Meal and Hospitality Expenses Directive*. The Board finds that the claims of AMPCO, CCC and Energy Probe and SEC are reasonable as are the adjusted claims of CME and VECC and each of these claims shall be reimbursed by Hydro One.

**THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, Hydro One shall immediately pay:
  - Association of Major Power Consumers in Ontario \$16,913.12;
  - Canadian Manufacturers and Exporters \$19,674.94;
  - Consumers Council of Canada \$16,780.50;
  - Energy Probe Research Foundation \$17,898.71;
  - School Energy Coalition \$35,641.00; and
  - Vulnerable Energy Consumers Coalition \$30,986.23.
  
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Hydro One shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

**DATED** at Toronto, April 26, 2013.

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary