



EB-2012-0340

IN THE MATTER OF the *Ontario Energy Board Act*, 1998,
S.O. 1998, c.15 (Schedule B);

AND IN THE MATTER OF cost awards in relation to a
consultation on incentive rate making options for Ontario
Power Generation's prescribed generation assets.

BEFORE: Marika Hare
Presiding Member

Cathy Spoel
Member

DECISION AND ORDER ON COST AWARDS

December 4, 2013

Background

On July 31, 2012, the Ontario Energy Board (the "Board") initiated a consultation process on incentive rate making options for Ontario Power Generation's (OPG) prescribed generation assets. In its July 31, 2012 letter, the Board stated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to their participation in this consultation process, and that any costs awarded would be recovered from OPG. Appendix A to the July 31, 2012 letter indicated that the Board would use the process set out in section 12 of the Board's *Practice Direction on Cost Awards* and act as a clearing house for all payments of cost awards. It also identified the activities eligible for cost awards in this consultation

process (participation in the stakeholder meeting), as well as the number of hours for which cost awards would be available for those eligible activities (30 hours).

In a letter posted on October 25, 2012, the Board informed consultation participants that cost awards would be available for eligible parties who filed second round submissions in accordance with the Board's September 19, 2012 letter that added a second round of comments to the consultation process. Cost awards up to a maximum of 10 hours are available to eligible parties that filed second round comments.

Eligible Participants

In accordance with the Board's August 17, 2012 Decision on Cost Eligibility, the following participants were found to be eligible for an award of costs: the Association of Major Power Consumers in Ontario; Canadian Manufacturers and Exporters; the Consumers Council of Canada; Energy Probe Research Foundation; the Green Energy Coalition; London Property Management Association; Retail Council of Canada; and, School Energy Coalition (collectively, the "Eligible Participants").

Board Findings

The Board has reviewed the cost claims and finds that the claims filed by the following Eligible Participants are within the approved overall limits set by the Board:

- Canadian Manufacturers and Exporters
- Consumers Council of Canada
- Green Energy Coalition
- London Property Management Association
- Retail Council of Canada
- School Energy Coalition

The Board therefore finds that these Eligible Participants are entitled to 100% of their reasonably incurred costs of participating in this consultation process.

The Board finds that a disbursement claimed by one of the Eligible Participants was not supported by a receipt as required by section 7.03 of the Board's *Practice Direction on Cost Awards* (the "Practice Direction"). As a result, the Board is reducing the claimed cost as follows:

- Energy Probe Research Foundation did not provide a receipt for parking costs that were claimed. The cost claim is reduced by \$18.00 accordingly.

Subject to this reduction, the Board finds that this Eligible Participant is entitled to 100% of their reasonably incurred costs of participating in this consultation process.

THE BOARD THEREFORE ORDERS THAT:

Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, OPG shall immediately pay the following amounts to the Eligible Participants for their costs:

- Canadian Manufacturers and Exporters \$5,465.53;
- Consumers Council of Canada \$5,779.95;
- Energy Probe \$13,387.06;
- Green Energy Coalition \$6,779.19;
- London Property Management Association \$9,807.27;
- Retail Council of Canada \$5,906.31; and,
- School Energy Coalition \$12,224.00.

DATED at Toronto, December 4, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary