



EB-2013-0155

**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 Niagara-on-  
the-Lake Hydro Inc. for an order approving just and  
reasonable rates and other charges for electricity  
distribution to be effective May 1, 2014.

**BEFORE:** Christine Long  
Presiding Member

**DECISION AND ORDER ON COST AWARDS**  
**July 02, 2014**

**Background**

Niagara-on-the-Lake Hydro Inc. ("NOTL Hydro") filed an application with the Ontario Energy Board (the "Board") on September 30, 2013 under section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that NOTL Hydro charges for electricity distribution, to be effective May 1, 2014.

On November 22, 2013, the Board issued Procedural Order No. 1, granting the Energy Probe Research Foundation ("Energy Probe") and the Vulnerable Energy Consumers Coalition ("VECC") intervenor status and cost award eligibility.

On April 3, 2014, the Board issued its Decision and Order, in which it set out the process for intervenors to file their cost claims, for NOTL Hydro to object to the claims and for intervenors to respond to any objections raised by NOTL Hydro.

The Board received cost claims from Energy Probe and VECC. On May 20, 2014, NOTL Hydro stated that it had no objections to the cost claims.

## Board Findings

The Board has reviewed all cost claims.

Energy Probe's claim included costs for two consultants to attend the settlement conference, one claiming 9.10 hours and the other 3.50 hours. The Board finds it important to maintain its practice of permitting more than one representative from an intervenor group to attend the settlement conference, but limit the applicant's responsibility to only pay the costs of one representative. The Board will therefore reduce Energy Probe's claim by 3.50 hours and approve 9.10 total hours of attendance at the settlement conference. Energy Probe's claim is reduced by \$1,080.98 (\$1,015.00 + \$65.98 HST).

The Board notes that VECC also claimed costs for two representatives to attend at the settlement conference. For the same reason noted above, the Board will approve 10.65 total hours of attendance at the settlement conference, thereby reducing the claim by 4.00 hours or \$1,351.22 (\$1,300.00 + \$51.22 HST).

With the exceptions noted above, the Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. Energy Probe's claim required a further minor reduction due to a calculation error in the Summary of Fees and Disbursements. VECC's claim also required a minor reduction to comply with the government's *Travel, Meal and Hospitality Expenses Directive*. The Board finds that the adjusted claims of Energy Probe and VECC are reasonable and that each of these claims shall be reimbursed by NOTL Hydro.

## THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, NOTL Hydro shall immediately pay the following amounts to the specified intervenors for their costs:

- Energy Probe Research Foundation \$13,699.79; and
- Vulnerable Energy Consumers Coalition \$18,170.07.

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

**DATED** at Toronto, July 02, 2014

**ONTARIO ENERGY BOARD**

Kirsten Walli  
Board Secretary