



EB-2014-0138

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

AND IN THE MATTER OF cost awards for interested parties
in a consultation process to review the Board's policies
relating to service area amendments and rate-making after
consolidation transactions.

BEFORE: Marika Hare
Presiding Member

Cathy Spoel
Member

**DECISION ON COST ELIGIBILITY AND
DECISION AND ORDER ON COST AWARDS**

November 28, 2014

Background

On March 31, 2014, the Ontario Energy Board (the "Board") posted a staff [Discussion Paper](#) related to an initiative to review its policies on service area amendments and rate-making associated with merger, amalgamation, acquisition and divestiture transactions.

In the [cover letter](#) accompanying the release of the Discussion Paper, the Board indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (the "Act") in relation to the provision of comments on the Discussion Paper to a maximum of 21 hours, and that costs awarded will be

recovered from all licensed electricity distributors based on their respective distribution revenues.

In accordance with the Board's May 20, 2014, [Decision on Cost Eligibility](#) (the "Eligibility Decision") the following stakeholders (collectively, the "Eligible Participants") were found to be eligible for an award of costs in relation to this initiative:

- Building Owners and Managers Association – Greater Toronto ("BOMA")
- Canadian Manufacturers & Exporters ("CME");
- Consumers Council of Canada ("CCC");
- London Property Management Association ("LPMA");
- School Energy Coalition ("SEC"); and
- Vulnerable Energy Consumers Coalition ("VECC").

On August 13, 2014, the Board issued a [Notice of Hearing for Cost Awards](#) (the "Notice") in this matter, establishing the process for the filing of cost claims and objections. In the Notice, the Board noted that it will determine the next steps for this consultation following its consideration of comments received on the Discussion Paper, but that it was expedient to proceed with addressing cost awards in relation to the provision of those comments.

Board Findings on Eligible Participant Cost Claims

BOMA, who did not provide comments on the Discussion Paper, did not file a cost claim.

CME, CCC, LPMA, SEC and VECC filed cost claims. No objections to these cost claims were received within the time specified for that purpose in the Notice.

The Board has reviewed the cost claims filed by these Eligible Participants and finds that the cost claims are all within the approved overall limits set by the Board and are in accordance with the Board's *Practice Direction on Cost Awards* (the "Practice Direction").

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

Cost Eligibility and Cost Claim of Association of Major Power Consumers in Ontario

The Association of Major Power Consumers in Ontario (“AMPCO”) filed a cost claim in response to the Notice. While AMPCO had submitted a request for cost award eligibility within the time required by the March 31, 2014 [cover letter](#), due to an oversight that cost eligibility request was not posted on the Board’s website for consideration by licensed electricity distributors and the Board did not address AMPCO’s request in the Eligibility Decision. AMPCO was an active participant in this consultation, filing comments on the Discussion Paper.

Given that AMPCO served its cost claim on all licensed electricity distributors and that no objections to its cost claim were received, and that AMPCO is *prima facie* eligible for an award of costs in accordance with the criteria set out in section 3 of the Practice Direction, the Board considers it expedient to waive the usual process for the filing of objections to cost eligibility requests. The Board will therefore extend cost award eligibility to AMPCO.

The Board has reviewed the cost claim filed by AMPCO and finds that the cost claim is within the approved overall limits set by the Board and is in accordance with the Practice Direction. The Board finds that AMPCO is entitled to 100% of its reasonably incurred costs of participating in this initiative.

Process for Paying the Cost Awards

As indicated in the March 31, 2014 [cover letter](#), the Board will use the process set out in section 12 of the Practice Direction to implement the payment of the cost awards. Therefore, the Board will act as a clearing house for all payments of cost awards relating to this initiative. Invoices will be issued to licensed electricity distributors at the same time as are invoices for cost assessments made under section 26 of the Act. The practice of the Board is to issue to each distributor one invoice that covers all cost awards payable by that distributor for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations and initiatives, including this one.

THE BOARD THEREFORE ORDERS THAT:

1. The individual licensed electricity distributors listed in Appendix A to this Decision and Order shall pay the costs awarded to CME, CCC, LPMA, SEC, VECC and AMPCO as set out in Appendix A.
2. Payment of the cost awards and of the Board's costs referred to in paragraph 1 shall be made to the Board in accordance with the invoice issued to the individual licensed electricity distributor, and shall be due at the same time as cost assessments under section 26 of the Act are due.

ISSUED AT Toronto, November 28, 2014.

ONTARIO ENERGY BOARD

Original Signed by

Kirsten Walli
Board Secretary

**Decision on Cost Eligibility and
Decision and Order on Cost Awards
November 28, 2014**

APPENDIX A

Electricity Distribution System Owner/Operator	AMPCO	CME	CCC	LPMA	SEC	VECC	TOTAL
Algoma Power Inc.	\$ 21.17	\$ 33.49	\$ 25.25	\$ 32.83	\$ 44.77	\$ 33.32	\$ 190.82
Atikokan Hydro Inc.	\$ 1.27	\$ 2.01	\$ 1.51	\$ 1.97	\$ 2.68	\$ 2.00	\$ 11.43
Attawapiskat Power Corp.	\$ 1.11	\$ 1.75	\$ 1.32	\$ 1.72	\$ 2.34	\$ 1.74	\$ 9.98
Bluewater Power Distribution Corporation	\$ 22.77	\$ 36.04	\$ 27.17	\$ 35.32	\$ 48.17	\$ 35.86	\$ 205.33
Brant County Power Inc.	\$ 6.51	\$ 10.31	\$ 7.77	\$ 10.10	\$ 13.78	\$ 10.25	\$ 58.73
Brantford Power Inc.	\$ 15.43	\$ 24.41	\$ 18.40	\$ 23.93	\$ 32.63	\$ 24.29	\$ 139.08
Burlington Hydro Inc.	\$ 37.26	\$ 58.96	\$ 44.46	\$ 57.79	\$ 78.81	\$ 58.66	\$ 335.93
Cambridge And North Dumfries Hydro Inc.	\$ 26.82	\$ 42.43	\$ 31.99	\$ 41.59	\$ 56.72	\$ 42.22	\$ 241.77
Canadian Niagara Power Inc.	\$ 17.84	\$ 28.23	\$ 21.29	\$ 27.68	\$ 37.74	\$ 28.09	\$ 160.87
Centre Wellington Hydro Ltd.	\$ 3.15	\$ 4.99	\$ 3.76	\$ 4.89	\$ 6.67	\$ 4.97	\$ 28.44
Chapleau Public Utilities Corporation	\$ 0.73	\$ 1.16	\$ 0.87	\$ 1.14	\$ 1.55	\$ 1.15	\$ 6.61
Entegrus Powerlines Inc.	\$ 19.36	\$ 30.63	\$ 23.09	\$ 30.02	\$ 40.94	\$ 30.47	\$ 174.52
COLLUS Powerstream Corp.	\$ 7.47	\$ 11.82	\$ 8.92	\$ 11.59	\$ 15.81	\$ 11.77	\$ 67.38

Electricity Distribution System Owner/Operator	AMPCO	CME	CCC	LPMA	SEC	VECC	TOTAL
Cooperative Hydro Embrun Inc.	\$ 0.87	\$ 1.37	\$ 1.03	\$ 1.34	\$ 1.83	\$ 1.36	\$ 7.81
Cornwall Street Railway Light And Power Company Ltd.	\$ 12.97	\$ 20.52	\$ 15.47	\$ 20.11	\$ 27.43	\$ 20.42	\$ 116.91
E.L.K. Energy Inc.	\$ 3.95	\$ 6.25	\$ 4.72	\$ 6.13	\$ 8.36	\$ 6.22	\$ 35.63
Enersource Hydro Mississauga Inc.	\$ 120.17	\$ 190.14	\$ 143.37	\$ 186.38	\$ 254.16	\$ 189.19	\$ 1,083.40
Enwin Utilities Ltd.	\$ 52.74	\$ 83.44	\$ 62.92	\$ 81.80	\$ 111.54	\$ 83.03	\$ 475.46
Erie Thames Powerlines Corporation	\$ 8.64	\$ 13.68	\$ 10.31	\$ 13.41	\$ 18.28	\$ 13.61	\$ 77.94
Espanola Regional Hydro Distribution Corporation	\$ 1.64	\$ 2.60	\$ 1.96	\$ 2.54	\$ 3.47	\$ 2.58	\$ 14.79
Essex Powerlines Corporation	\$ 11.99	\$ 18.97	\$ 14.30	\$ 18.59	\$ 25.36	\$ 18.87	\$ 108.08
Festival Hydro Inc.	\$ 11.85	\$ 18.75	\$ 14.14	\$ 18.38	\$ 25.07	\$ 18.66	\$ 106.85
Fort Albany Power Corporation	\$ 0.74	\$ 1.18	\$ 0.89	\$ 1.15	\$ 1.57	\$ 1.17	\$ 6.71
Fort Frances Power Corporation	\$ 1.88	\$ 2.97	\$ 2.24	\$ 2.91	\$ 3.97	\$ 2.96	\$ 16.94
Greater Sudbury Hydro Inc.	\$ 25.87	\$ 40.94	\$ 30.87	\$ 40.13	\$ 54.72	\$ 40.73	\$ 233.26
Grimsby Power Incorporated	\$ 5.21	\$ 8.24	\$ 6.22	\$ 8.08	\$ 11.02	\$ 8.20	\$ 46.98
Guelph Hydro Electric Systems Inc.	\$ 27.61	\$ 43.68	\$ 32.94	\$ 42.82	\$ 58.39	\$ 43.47	\$ 248.91

Electricity Distribution System Owner/Operator	AMPCO	CME	CCC	LPMA	SEC	VECC	TOTAL
Haldimand County Hydro Inc.	\$ 15.29	\$ 24.19	\$ 18.24	\$ 23.71	\$ 32.33	\$ 24.06	\$ 137.81
Halton Hills Hydro Inc.	\$ 11.36	\$ 17.97	\$ 13.55	\$ 17.62	\$ 24.03	\$ 17.88	\$ 102.42
Horizon Utilities Corporation	\$ 113.26	\$ 179.21	\$ 135.13	\$ 175.67	\$ 239.56	\$ 178.32	\$ 1,021.16
Hydro Hawkesbury Inc.	\$ 1.81	\$ 2.86	\$ 2.16	\$ 2.81	\$ 3.83	\$ 2.85	\$ 16.31
Hearst Power Distribution Company Limited	\$ 1.24	\$ 1.97	\$ 1.48	\$ 1.93	\$ 2.63	\$ 1.96	\$ 11.20
Hydro 2000 Inc.	\$ 0.48	\$ 0.75	\$ 0.57	\$ 0.74	\$ 1.01	\$ 0.75	\$ 4.30
Hydro One Brampton Networks Inc.	\$ 63.56	\$ 100.58	\$ 75.84	\$ 98.59	\$ 134.44	\$ 100.07	\$ 573.09
Hydro One Networks Inc.	\$ 1,294.76	\$ 2,048.64	\$ 1,544.78	\$ 2,008.21	\$ 2,738.47	\$ 2,038.42	\$ 11,673.27
Hydro One Remote Communities Incorporated	\$ 23.06	\$ 36.48	\$ 27.51	\$ 35.76	\$ 48.77	\$ 36.30	\$ 207.89
Hydro Ottawa Limited	\$ 160.55	\$ 254.02	\$ 191.55	\$ 249.01	\$ 339.56	\$ 252.76	\$ 1,447.44
Innisfil Hydro Distribution Systems Limited	\$ 9.30	\$ 14.72	\$ 11.10	\$ 14.43	\$ 19.67	\$ 14.65	\$ 83.87
Kashechewan Power Corporation	\$ 1.01	\$ 1.60	\$ 1.21	\$ 1.57	\$ 2.14	\$ 1.59	\$ 9.12
Kenora Hydro Electric Corporation Ltd.	\$ 3.08	\$ 4.87	\$ 3.67	\$ 4.77	\$ 6.51	\$ 4.84	\$ 27.73
Kingston Hydro Corporation	\$ 11.91	\$ 18.85	\$ 14.21	\$ 18.48	\$ 25.19	\$ 18.75	\$ 107.40

Electricity Distribution System Owner/Operator	AMPCO	CME	CCC	LPMA	SEC	VECC	TOTAL
Kitchener-Wilmot Hydro Inc.	\$ 45.43	\$ 71.89	\$ 54.21	\$ 70.47	\$ 96.09	\$ 71.53	\$ 409.61
Lakefront Utilities Inc.	\$ 5.54	\$ 8.77	\$ 6.61	\$ 8.59	\$ 11.72	\$ 8.72	\$ 49.96
Lakeland Power Distribution Ltd.	\$ 6.14	\$ 9.71	\$ 7.32	\$ 9.52	\$ 12.98	\$ 9.66	\$ 55.34
London Hydro Inc.	\$ 66.48	\$ 105.19	\$ 79.32	\$ 103.11	\$ 140.60	\$ 104.66	\$ 599.35
Midland Power Utility Corporation	\$ 4.27	\$ 6.75	\$ 5.09	\$ 6.62	\$ 9.03	\$ 6.72	\$ 38.49
Milton Hydro Distribution Inc.	\$ 14.90	\$ 23.58	\$ 17.78	\$ 23.11	\$ 31.51	\$ 23.46	\$ 134.34
Newmarket-Tay Power Distribution Ltd.	\$ 15.76	\$ 24.93	\$ 18.80	\$ 24.44	\$ 33.32	\$ 24.80	\$ 142.05
Niagara Peninsula Energy Inc.	\$ 29.57	\$ 46.78	\$ 35.28	\$ 45.86	\$ 62.54	\$ 46.55	\$ 266.57
Niagara-On-The-Lake Hydro Inc.	\$ 5.14	\$ 8.13	\$ 6.13	\$ 7.97	\$ 10.86	\$ 8.09	\$ 46.30
Norfolk Power Distribution Inc.	\$ 12.17	\$ 19.25	\$ 14.52	\$ 18.87	\$ 25.73	\$ 19.15	\$ 109.69
North Bay Hydro Distribution Limited	\$ 12.27	\$ 19.41	\$ 14.64	\$ 19.03	\$ 25.95	\$ 19.31	\$ 110.61
Northern Ontario Wires Inc.	\$ 2.91	\$ 4.61	\$ 3.48	\$ 4.52	\$ 6.16	\$ 4.59	\$ 26.26
Oakville Hydro Electricity Distribution Inc.	\$ 35.75	\$ 56.56	\$ 42.65	\$ 55.45	\$ 75.61	\$ 56.28	\$ 322.31
Orangeville Hydro Limited	\$ 6.56	\$ 10.38	\$ 7.83	\$ 10.17	\$ 13.87	\$ 10.33	\$ 59.14

Electricity Distribution System Owner/Operator	AMPCO	CME	CCC	LPMA	SEC	VECC	TOTAL
Orillia Power Distribution Corporation	\$ 8.67	\$ 13.72	\$ 10.34	\$ 13.45	\$ 18.34	\$ 13.65	\$ 78.17
Oshawa Puc Networks Inc.	\$ 19.78	\$ 31.30	\$ 23.60	\$ 30.68	\$ 41.83	\$ 31.14	\$ 178.32
Ottawa River Power Corporation	\$ 4.25	\$ 6.73	\$ 5.07	\$ 6.60	\$ 8.99	\$ 6.70	\$ 38.34
Parry Sound Power Corporation	\$ 2.51	\$ 3.98	\$ 3.00	\$ 3.90	\$ 5.31	\$ 3.96	\$ 22.65
Peterborough Distribution Incorporated	\$ 18.23	\$ 28.84	\$ 21.75	\$ 28.27	\$ 38.55	\$ 28.70	\$ 164.34
Powerstream Inc.	\$ 172.96	\$ 273.67	\$ 206.36	\$ 268.27	\$ 365.82	\$ 272.31	\$ 1,559.39
Puc Distribution Inc.	\$ 18.91	\$ 29.91	\$ 22.56	\$ 29.32	\$ 39.99	\$ 29.76	\$ 170.45
Renfrew Hydro Inc.	\$ 1.95	\$ 3.09	\$ 2.33	\$ 3.03	\$ 4.13	\$ 3.08	\$ 17.62
Rideau St. Lawrence Distribution Inc.	\$ 2.73	\$ 4.32	\$ 3.26	\$ 4.24	\$ 5.78	\$ 4.30	\$ 24.64
St. Thomas Energy Inc.	\$ 7.68	\$ 12.15	\$ 9.16	\$ 11.91	\$ 16.24	\$ 12.09	\$ 69.25
Sioux Lookout Hydro Inc.	\$ 2.21	\$ 3.50	\$ 2.64	\$ 3.43	\$ 4.68	\$ 3.49	\$ 19.97
Thunder Bay Hydro Electricity Distribution Inc.	\$ 22.72	\$ 35.95	\$ 27.11	\$ 35.24	\$ 48.06	\$ 35.77	\$ 204.85
Tillsonburg Hydro Inc.	\$ 3.26	\$ 5.15	\$ 3.89	\$ 5.05	\$ 6.89	\$ 5.13	\$ 29.37
Toronto Hydro-Electric System Limited	\$ 560.32	\$ 886.57	\$ 668.52	\$ 869.08	\$ 1,185.10	\$ 882.15	\$ 5,051.75

Electricity Distribution System Owner/Operator	AMPCO	CME	CCC	LPMA	SEC	VECC	TOTAL
Veridian Connections Inc.	\$ 57.33	\$ 90.71	\$ 68.40	\$ 88.92	\$ 121.25	\$ 90.25	\$ 516.84
Wasaga Distribution Inc.	\$ 4.59	\$ 7.27	\$ 5.48	\$ 7.13	\$ 9.72	\$ 7.23	\$ 41.42
Waterloo North Hydro Inc.	\$ 35.05	\$ 55.46	\$ 41.82	\$ 54.37	\$ 74.14	\$ 55.18	\$ 316.02
Welland Hydro-Electric System Corp.	\$ 10.82	\$ 17.12	\$ 12.91	\$ 16.79	\$ 22.89	\$ 17.04	\$ 97.57
Wellington North Power Inc.	\$ 2.44	\$ 3.86	\$ 2.91	\$ 3.78	\$ 5.16	\$ 3.84	\$ 21.98
West Coast Huron Energy Inc.	\$ 2.26	\$ 3.58	\$ 2.70	\$ 3.51	\$ 4.79	\$ 3.57	\$ 20.42
Westario Power Inc.	\$ 9.46	\$ 14.98	\$ 11.29	\$ 14.68	\$ 20.02	\$ 14.90	\$ 85.33
Whitby Hydro Electric Corporation	\$ 20.78	\$ 32.89	\$ 24.80	\$ 32.24	\$ 43.96	\$ 32.72	\$ 187.39
Woodstock Hydro Services Inc.	\$ 8.52	\$ 13.47	\$ 10.16	\$ 13.21	\$ 18.01	\$ 13.41	\$ 76.78
TOTAL	\$ 3,438.03	\$ 5,439.82	\$ 4,101.90	\$ 5,332.47	\$ 7,271.55	\$ 5,412.68	\$30,996.45