



Ontario Energy Board
Commission de l'énergie de l'Ontario

DECISION AND ORDER ON COST AWARDS

EB-2014-0158

**Consultation to Review the Effectiveness of Part II of the *Energy
Consumer Protection Act, 2010***

BEFORE: Cathy Spoel
Presiding Member

Christine Long
Member

December 14, 2015

INTRODUCTION AND SUMMARY

The Ontario Energy Board (OEB) initiated a consultation to support the development of a report to the Minister of Energy in response to the Minister's request that the OEB review Part II of the *Energy Consumer Protection Act, 2010* (the ECPA). The OEB indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (the Act) for their participation in the consultation.

The OEB further indicated that the costs awarded, as well as the OEB's costs, would be recovered from all rate-regulated licensed electricity distributors, all rate-regulated natural gas distributors, all licensed natural gas marketers and all licensed low-volume electricity retailers (collectively, the Payors), and apportioned amongst them on the same basis as indirect costs are apportioned for purposes of the OEB's cost assessments under section 26 of the Act.

The OEB indicated that cost awards would be available to eligible persons in relation to the submission of written comments and participation in the Stakeholder Forum (up to a maximum of 25 hours and 9 hours, respectively), and in relation to the submission of supplementary written comments on the issues explored at the Stakeholder Forum (up to a maximum of 40 hours).

In its Decision on Cost Eligibility dated August 26, 2014, the OEB determined that the following participants (together, the eligible participants) were eligible to apply for an award of costs in this consultation process:

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

In that Decision, the OEB emphasized that cost awards would only be granted for participation that related to low-volume consumers, as it is low-volume consumers who are the focus of the ECPA.

On October 19, 2015, the OEB issued a Notice of Hearing for Cost Awards. All the eligible participants listed above submitted cost claims. No objections to the filed cost claims were received.

OEB Findings

The OEB reviewed the cost claims filed by BOMA, CCC, CME, LPMA and VECC to ensure they were compliant with the OEB's *Practice Direction on Cost Awards*. The OEB finds that CCC, CME, LPMA and VECC are entitled to 100% of their costs of participating in this consultation process.

The OEB finds that BOMA's submissions in the consultation went beyond issues related to low-volume consumers, and has therefore adjusted BOMA's costs to that of the next highest intervenor. This results in a cost award to BOMA of \$8,974.45 (including disbursements), which is \$559.35 less than claimed.

Process for Paying the Cost Awards

The amount payable by each Payor in relation to costs awarded to each eligible participant is listed in Schedule A to this Decision and Order.

The OEB will use the process set out in section 12 of the OEB's *Practice Direction on Cost Awards* to implement the payment of the cost awards. Therefore, the OEB will act as a clearing house for all payments of cost awards relating to this consultation process. Invoices will be issued to Payors at the same time as the invoices for cost assessments are made under section 26 of the Act. The practice of the OEB is to issue to each entity one invoice that covers all cost awards payable by that entity for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations, including this one.

THE ONTARIO ENERGY BOARD THEREFORE ORDERS THAT:

1. Each Payor listed in Schedule A to this Decision and Order shall pay the amounts set out in Schedule A in relation to the costs awarded to each eligible participant.
2. Each Payor listed in Schedule A to this Decision and Order shall pay the OEB's costs of, and incidental to, this consultation.

3. The payments referred to in paragraphs 1 and 2 shall be made to the OEB in accordance with the invoice issued to each Payor, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto December 14, 2015

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Schedule A

OEB's Decision and Order on Cost Awards

EB-2014-0158

Gas Distributor, Transmitter, Storage Company	BOMA	CME	CCC	LPMA	VECC	Total
Enbridge Gas Distribution	\$ 895.47	\$ 260.20	\$ 632.54	\$ 892.99	\$ 823.90	\$ 3,505.10
Union Gas	\$ 805.09	\$ 233.94	\$ 568.69	\$ 802.86	\$ 740.74	\$ 3,151.31
Natural Resource Gas	\$ 4.59	\$ 1.33	\$ 3.24	\$ 4.58	\$ 4.22	\$ 17.96
TOTAL	\$ 1,705.15	\$ 495.47	\$ 1,204.47	\$ 1,700.42	\$ 1,568.86	\$ 6,674.37

Electricity Distribution System Owner/Operator	BOMA	CME	CCC	LPMA	VECC	Total
Algoma Power Inc.	\$ 41.93	\$ 12.18	\$ 29.62	\$ 41.81	\$ 38.58	\$ 164.12
Atikokan Hydro Inc.	\$ 2.70	\$ 0.78	\$ 1.90	\$ 2.69	\$ 2.48	\$ 10.55
Attawapiskat Power Corp.	\$ 2.06	\$ 0.60	\$ 1.46	\$ 2.06	\$ 1.90	\$ 8.07
Bluewater Power Distribution Corporation	\$ 40.13	\$ 11.66	\$ 28.35	\$ 40.02	\$ 36.93	\$ 157.10
Brant County Power Inc.	\$ 12.35	\$ 3.59	\$ 8.72	\$ 12.31	\$ 11.36	\$ 48.32
Brantford Power Inc.	\$ 30.05	\$ 8.73	\$ 21.22	\$ 29.96	\$ 27.65	\$ 117.61
Burlington Hydro Inc.	\$ 61.96	\$ 18.00	\$ 43.76	\$ 61.78	\$ 57.00	\$ 242.51
Cambridge and North Dumfries Hydro Inc.	\$ 52.56	\$ 15.27	\$ 37.13	\$ 52.42	\$ 48.36	\$ 205.74
Canadian Niagara Power Inc.	\$ 36.85	\$ 10.71	\$ 26.03	\$ 36.74	\$ 33.90	\$ 144.22
Centre Wellington Hydro Ltd.	\$ 6.79	\$ 1.97	\$ 4.80	\$ 6.77	\$ 6.25	\$ 26.59
Chapleau Public Utilities Corporation	\$ 1.71	\$ 0.50	\$ 1.21	\$ 1.70	\$ 1.57	\$ 6.69
Entegrus Powerlines Inc.	\$ 37.36	\$ 10.86	\$ 26.39	\$ 37.26	\$ 34.38	\$ 146.25
Collus PowerStream Corp.	\$ 12.26	\$ 3.56	\$ 8.66	\$ 12.23	\$ 11.28	\$ 48.00
Cooperative Hydro Embrun Inc.	\$ 1.69	\$ 0.49	\$ 1.19	\$ 1.69	\$ 1.56	\$ 6.62

Electricity Distribution System Owner/Operator	BOMA	CME	CCC	LPMA	VECC	Total
E.L.K. Energy Inc.	\$ 7.31	\$ 2.13	\$ 5.17	\$ 7.29	\$ 6.73	\$ 28.63
Enersource Hydro Mississauga Inc.	\$ 231.40	\$ 67.24	\$ 163.45	\$ 230.76	\$ 212.90	\$ 905.75
Enwin Utilities Ltd.	\$ 97.66	\$ 28.38	\$ 68.98	\$ 97.39	\$ 89.85	\$ 382.27
Erie Thames Powerlines Corporation	\$ 21.02	\$ 6.11	\$ 14.85	\$ 20.96	\$ 19.34	\$ 82.26
Espanola Regional Hydro Distribution Corporation	\$ 3.89	\$ 1.13	\$ 2.75	\$ 3.88	\$ 3.58	\$ 15.22
Essex Powerlines Corporation	\$ 22.35	\$ 6.50	\$ 15.79	\$ 22.29	\$ 20.57	\$ 87.50
Festival Hydro Inc.	\$ 21.78	\$ 6.33	\$ 15.39	\$ 21.72	\$ 20.04	\$ 85.27
Fort Albany Power Corporation	\$ 1.45	\$ 0.42	\$ 1.02	\$ 1.44	\$ 1.33	\$ 5.66
Fort Frances Power Corporation	\$ 3.73	\$ 1.09	\$ 2.64	\$ 3.72	\$ 3.44	\$ 14.62
Greater Sudbury Hydro Inc.	\$ 51.73	\$ 15.03	\$ 36.54	\$ 51.58	\$ 47.59	\$ 202.47
Grimsby Power Incorporated	\$ 8.40	\$ 2.44	\$ 5.93	\$ 8.37	\$ 7.73	\$ 32.87
Guelph Hydro Electric Systems Inc.	\$ 52.45	\$ 15.24	\$ 37.05	\$ 52.31	\$ 48.26	\$ 205.32
Haldimand County Hydro Inc.	\$ 28.83	\$ 8.38	\$ 20.36	\$ 28.75	\$ 26.53	\$ 112.85
Halton Hills Hydro Inc.	\$ 18.50	\$ 5.38	\$ 13.07	\$ 18.45	\$ 17.02	\$ 72.42
Horizon Utilities Corporation	\$ 208.01	\$ 60.44	\$ 146.93	\$ 207.43	\$ 191.38	\$ 814.20
Hydro Hawkesbury Inc.	\$ 3.04	\$ 0.88	\$ 2.15	\$ 3.03	\$ 2.80	\$ 11.91
Hearst Power Distribution Company Limited	\$ 2.24	\$ 0.65	\$ 1.58	\$ 2.23	\$ 2.06	\$ 8.76
Hydro 2000 Inc.	\$ 1.00	\$ 0.29	\$ 0.70	\$ 0.99	\$ 0.92	\$ 3.90
Hydro One Brampton Networks Inc.	\$ 131.78	\$ 38.29	\$ 93.08	\$ 131.41	\$ 121.24	\$ 515.80
Hydro One Networks Inc.	\$ 2,514.93	\$ 730.78	\$ 1,776.47	\$ 2,507.96	\$ 2,313.92	\$ 9,844.06
Hydro One Remote Communities Incorporated	\$ 46.52	\$ 13.52	\$ 32.86	\$ 46.39	\$ 42.80	\$ 182.10
Hydro Ottawa Limited	\$ 301.52	\$ 87.62	\$ 212.99	\$ 300.69	\$ 277.42	\$ 1,180.23
Innpower Corporation	\$ 15.12	\$ 4.39	\$ 10.68	\$ 15.08	\$ 13.91	\$ 59.17
Kashechewan Power Corporation	\$ 1.95	\$ 0.57	\$ 1.38	\$ 1.95	\$ 1.80	\$ 7.65
Kenora Hydro Electric Corporation Ltd.	\$ 5.70	\$ 1.66	\$ 4.03	\$ 5.69	\$ 5.25	\$ 22.33
Kingston Hydro Corporation	\$ 25.74	\$ 7.48	\$ 18.18	\$ 25.67	\$ 23.68	\$ 100.75
Kitchener-Wilmot Hydro Inc.	\$ 78.85	\$ 22.91	\$ 55.70	\$ 78.63	\$ 72.55	\$ 308.65

Electricity Distribution System Owner/Operator	BOMA	CME	CCC	LPMA	VECC	Total
Lakefront Utilities Inc.	\$ 9.04	\$ 2.63	\$ 6.39	\$ 9.02	\$ 8.32	\$ 35.40
Lakeland Power Distribution Ltd.	\$ 16.36	\$ 4.75	\$ 11.55	\$ 16.31	\$ 15.05	\$ 64.03
London Hydro Inc.	\$ 127.43	\$ 37.03	\$ 90.01	\$ 127.08	\$ 117.25	\$ 498.80
Midland Power Utility Corporation	\$ 7.13	\$ 2.07	\$ 5.04	\$ 7.11	\$ 6.56	\$ 27.92
Milton Hydro Distribution Inc.	\$ 29.83	\$ 8.67	\$ 21.07	\$ 29.75	\$ 27.44	\$ 116.75
Newmarket-Tay Power Distribution Ltd.	\$ 30.67	\$ 8.91	\$ 21.66	\$ 30.58	\$ 28.22	\$ 120.04
Niagara Peninsula Energy Inc.	\$ 55.72	\$ 16.19	\$ 39.36	\$ 55.57	\$ 51.27	\$ 218.12
Niagara-on-the-lake Hydro Inc.	\$ 10.19	\$ 2.96	\$ 7.20	\$ 10.16	\$ 9.37	\$ 39.87
Norfolk Power Distribution Inc.	\$ 23.32	\$ 6.78	\$ 16.47	\$ 23.25	\$ 21.45	\$ 91.27
North Bay Hydro Distribution Limited	\$ 23.41	\$ 6.80	\$ 16.53	\$ 23.34	\$ 21.54	\$ 91.62
Northern Ontario Wires Inc.	\$ 7.53	\$ 2.19	\$ 5.32	\$ 7.51	\$ 6.93	\$ 29.48
Oakville Hydro Electricity Distribution Inc.	\$ 69.67	\$ 20.25	\$ 49.21	\$ 69.48	\$ 64.10	\$ 272.71
Orangeville Hydro Limited	\$ 11.01	\$ 3.20	\$ 7.78	\$ 10.98	\$ 10.13	\$ 43.09
Orillia Power Distribution Corporation	\$ 15.93	\$ 4.63	\$ 11.25	\$ 15.89	\$ 14.66	\$ 62.35
Oshawa PUC Networks Inc.	\$ 37.26	\$ 10.83	\$ 26.32	\$ 37.16	\$ 34.28	\$ 145.86
Ottawa River Power Corporation	\$ 8.02	\$ 2.33	\$ 5.66	\$ 8.00	\$ 7.38	\$ 31.38
Peterborough Distribution Incorporated	\$ 31.00	\$ 9.01	\$ 21.90	\$ 30.92	\$ 28.52	\$ 121.35
Powerstream Inc.	\$ 321.21	\$ 93.34	\$ 226.90	\$ 320.32	\$ 295.54	\$ 1,257.31
PUC Distribution Inc.	\$ 38.10	\$ 11.07	\$ 26.92	\$ 38.00	\$ 35.06	\$ 149.15
Renfrew Hydro Inc.	\$ 3.68	\$ 1.07	\$ 2.60	\$ 3.67	\$ 3.38	\$ 14.39
Rideau St. Lawrence Distribution Inc.	\$ 5.24	\$ 1.52	\$ 3.70	\$ 5.22	\$ 4.82	\$ 20.49
St. Thomas Energy Inc.	\$ 13.74	\$ 3.99	\$ 9.70	\$ 13.70	\$ 12.64	\$ 53.77
Sioux Lookout Hydro Inc.	\$ 3.90	\$ 1.13	\$ 2.76	\$ 3.89	\$ 3.59	\$ 15.28
Thunder Bay Hydro Electricity Distribution Inc.	\$ 37.27	\$ 10.83	\$ 26.33	\$ 37.17	\$ 34.29	\$ 145.89
Tillsonburg Hydro Inc.	\$ 7.54	\$ 2.19	\$ 5.32	\$ 7.52	\$ 6.94	\$ 29.50
Toronto Hydro-Electric System Limited	\$ 1,080.15	\$ 313.87	\$ 762.99	\$ 1,077.16	\$ 993.81	\$ 4,227.97
Veridian Connections Inc.	\$ 98.66	\$ 28.67	\$ 69.69	\$ 98.39	\$ 90.77	\$ 386.18

Electricity Distribution System Owner/Operator	BOMA	CME	CCC	LPMA	VECC	Total
Wasaga Distribution Inc.	\$ 7.00	\$ 2.03	\$ 4.94	\$ 6.98	\$ 6.44	\$ 27.40
Waterloo North Hydro Inc.	\$ 63.31	\$ 18.40	\$ 44.72	\$ 63.13	\$ 58.25	\$ 247.81
Welland Hydro-Electric System Corp.	\$ 17.57	\$ 5.11	\$ 12.41	\$ 17.52	\$ 16.16	\$ 68.77
Wellington North Power Inc.	\$ 4.84	\$ 1.41	\$ 3.42	\$ 4.82	\$ 4.45	\$ 18.93
West Coast Huron Energy Inc.	\$ 5.18	\$ 1.50	\$ 3.66	\$ 5.16	\$ 4.76	\$ 20.26
Westario Power Inc.	\$ 20.60	\$ 5.98	\$ 14.55	\$ 20.54	\$ 18.95	\$ 80.62
Whitby Hydro Electric Corporation	\$ 45.46	\$ 13.21	\$ 32.11	\$ 45.33	\$ 41.83	\$ 177.94
Woodstock Hydro Services Inc.	\$ 17.10	\$ 4.97	\$ 12.08	\$ 17.05	\$ 15.73	\$ 66.94
TOTAL	\$ 6,551.35	\$ 1,903.66	\$ 4,627.69	\$ 6,533.21	\$ 6,027.72	\$ 25,643.63

Electricity Retailers	BOMA	CME	CCC	LPMA	VECC	Total
Active Energy Inc.	\$ 17.10	\$ 4.97	\$ 12.08	\$ 17.05	\$ 15.73	\$ 66.93
AgEnergy Co-operative Ltd.	\$ 0.19	\$ 0.06	\$ 0.14	\$ 0.19	\$ 0.18	\$ 0.76
Bullfrog Power Inc.	\$ 0.05	\$ 0.01	\$ 0.03	\$ 0.05	\$ 0.04	\$ 0.19
Canada Energy Wholesalers Ltd.	\$ 9.65	\$ 2.81	\$ 6.82	\$ 9.63	\$ 8.88	\$ 37.79
Canadian RiteRate Energy Corporation	\$ 0.04	\$ 0.01	\$ 0.03	\$ 0.04	\$ 0.04	\$ 0.17
Direct Energy Marketing Limited	\$ 52.42	\$ 15.23	\$ 37.03	\$ 52.28	\$ 48.23	\$ 205.19
H2O Power Limited Partnership/Societe Commandite H2O Energie	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Hudson Energy Canada Corp.	\$ 3.71	\$ 1.08	\$ 2.62	\$ 3.70	\$ 3.41	\$ 14.52
Just Energy Ontario L.P.	\$ 240.87	\$ 69.99	\$ 170.15	\$ 240.21	\$ 221.62	\$ 942.84
ONIT Energy Ltd.	\$ 0.59	\$ 0.17	\$ 0.42	\$ 0.59	\$ 0.54	\$ 2.31
Planet Energy (Ontario) Corp.	\$ 39.52	\$ 11.48	\$ 27.92	\$ 39.41	\$ 36.36	\$ 154.71
Summitt Energy Management Inc. on behalf of Summitt Energy LP	\$ 71.79	\$ 20.86	\$ 50.71	\$ 71.60	\$ 66.06	\$ 281.02
Sunwave Gas & Power Inc.	\$ 10.88	\$ 3.16	\$ 7.68	\$ 10.85	\$ 10.01	\$ 42.58
Superior Energy Management Electricity LP	\$ 1.89	\$ 0.55	\$ 1.34	\$ 1.89	\$ 1.74	\$ 7.41

Electricity Retailers	BOMA	CME	CCC	LPMA	VECC	Total
TOTAL	\$ 448.72	\$ 130.39	\$ 316.97	\$ 447.48	\$ 412.86	\$ 1,756.41

Gas Marketers	BOMA	CME	CCC	LPMA	VECC	Total
Access Gas Services (Ontario) Inc.	\$ 0.05	\$ 0.01	\$ 0.03	\$ 0.05	\$ 0.04	\$ 0.19
Active Energy Corp.	\$ 15.08	\$ 4.38	\$ 10.66	\$ 15.04	\$ 13.88	\$ 59.04
Ag Energy Co-operative Ltd.	\$ 0.12	\$ 0.04	\$ 0.09	\$ 0.12	\$ 0.11	\$ 0.49
Canadian RiteRate Energy Corporation	\$ 4.19	\$ 1.22	\$ 2.96	\$ 4.18	\$ 3.86	\$ 16.41
Direct Energy Marketing Limited	\$ 76.20	\$ 22.14	\$ 53.83	\$ 75.99	\$ 70.11	\$ 298.27
Hudson Energy Canada Corp.	\$ 0.95	\$ 0.28	\$ 0.67	\$ 0.95	\$ 0.88	\$ 3.73
Just Energy Ontario L.P.	\$ 110.65	\$ 32.15	\$ 78.16	\$ 110.34	\$ 101.81	\$ 433.11
Onit Energy Ltd.	\$ 0.02	\$ 0.00	\$ 0.01	\$ 0.02	\$ 0.01	\$ 0.06
Planet Energy (Ontario) Corp.	\$ 12.53	\$ 3.64	\$ 8.85	\$ 12.49	\$ 11.53	\$ 49.04
Summitt Energy Management Inc. on behalf of Summitt Energy LP	\$ 36.01	\$ 10.46	\$ 25.44	\$ 35.91	\$ 33.13	\$ 140.96
Superior Energy Management Gas LP	\$ 11.76	\$ 3.42	\$ 8.31	\$ 11.73	\$ 10.82	\$ 46.03
Sunwave Gas & Power Inc.	\$ 1.66	\$ 0.48	\$ 1.18	\$ 1.66	\$ 1.53	\$ 6.52
TOTAL	\$ 269.23	\$ 78.23	\$ 190.18	\$ 268.49	\$ 247.71	\$ 1,053.85

TOTAL	\$ 8,974.45	\$ 2,607.76	\$ 6,339.30	\$ 8,949.60	\$ 8,257.15	\$ 35,128.26
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