



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

DECISION AND ORDER ON COST AWARDS

EB-2013-0416/EB-2015-0079

HYDRO ONE NETWORKS INC.

**Application for electricity distribution rates and other charges
beginning January 1, 2016.**

BEFORE: Allison Duff
Presiding Member

Ken Quesnelle
Member

March 8, 2016

INTRODUCTION AND SUMMARY

On September 30, 2015, Hydro One Networks Inc. (Hydro One) filed an application for electricity distribution rates effective January 1, 2016. Hydro One also applied to begin its transition to fully fixed residential rates, as directed in the OEB's April 2, 2016 report: *A New Distribution Rate Design for Residential Electricity Customers (EB-2012-0410)*. The application was made under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B).

The OEB granted intervenor status and cost award eligibility to the Balsam Lake Coalition (BLC), Canadian Manufacturers & Exporters (CME), Consumers Council of Canada (CCC), Energy Probe Research Foundation (Energy Probe), Federation of Ontario Cottagers' Associations (FOCA), School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC).

On December 22, 2015, the OEB issued its Decision & Order which also established the process for intervenors to file their cost claims, for Hydro One to object to the claims and for intervenors to respond to any objections raised by Hydro One. On January 14, 2016, the Board issued its Rate Order.

The OEB received cost claims from BLC, CME, CCC, Energy Probe, SEC and VECC. By an email dated February 2, 2016, FOCA stated that it would not file a cost claim.

On January 14, 2016, Hydro One filed a response to the cost claims and stated that it had no concerns with the cost claims of BLC and CCC. Hydro One did not address CME's and VECC's cost claims. Hydro One requested the OEB ensure that SEC's claim was just and appropriate as the timeframe for the work charged for their student preceded the filing of the Draft Rate Order (DRO) on September 30, 2015. Hydro One further requested the OEB to ensure that Energy Probe's claim was just and appropriate given their claim for the costs of three consultants and the large dollars and hours being claimed.

On January 20, 2016, Energy Probe responded to Hydro One's letter indicating that not all parties that applied for intervenor status took part in the proceeding and some parties expressed the opinion that the proceeding appeared not to be in an area of prime concern. Energy Probe pointed out that only OEB staff and Energy Probe were very active at the non-transcribed Technical Conference and filed written submissions covering all the major issues in the proceeding.

Energy Probe further submitted that a review of its argument would reveal an effort to fully portray its concerns to the OEB. Energy Probe stated that it provided charts, as

well as focused written material, to substantiate its concerns in a straight-forward submission. Energy Probe submitted that it was acting in a reasonable manner in utilizing three consultants and requested that it be found to be eligible to receive 100% of its reasonably incurred costs of participating in the proceeding.

OEB Findings

The OEB has reviewed the claims filed by BLC, CME, CCC and VECC to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*. The OEB approves these cost claims as filed.

The OEB will reduce Energy Probe's cost claim by 20%. The OEB finds the claim excessive given the relatively narrow scope of the application and in comparison to other intervenors' cost claims. In addition, the OEB found Energy Probe's submission extended beyond the scope of the application with respect to the total bill impact analysis and submission. Changes to the bill resulting from the provincial government's decision to phase out the Ontario Clean Energy Benefit and the Debt Retirement Charge are not within the scope of the evaluation relevant to an OEB Decision.

The OEB will disallow 2.8 hours in SEC's claim for Chris Avetikyan. These hours were incurred in June and August, before the DRO was filed on September 30, 2015 and no explanation or justification was provided by SEC.

THE ONTARIO ENERGY BOARD ORDERS THAT:

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

Balsam Lake Coalition	\$3,932.40
Canadian Manufacturers & Exporters	\$4,578.76
Consumers Council of Canada	\$2,610.30
Energy Probe Research Foundation	\$8,226.06
School Energy Coalition	\$1,440.75
Vulnerable Energy Consumers Coalition	\$3,024.65

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

DATED at Toronto March 8, 2016

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary