



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

**DECISION AND ORDER ON COST AWARDS
EB-2015-0090/EB-2015-0328**

NIAGARA PENINSULA ENERGY INC.

**Application for electricity distribution rates and other charges
effective May 1, 2016**

BEFORE: Allison Duff
Presiding Member

Victoria Christine
Member

July 7, 2016

INTRODUCTION AND SUMMARY

Niagara Peninsula Energy Inc. (Niagara Peninsula Energy) filed a complete application (EB-2015-0090) with the Ontario Energy Board (OEB) on September 28, 2015 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) and under the OEB's Filing Requirements for Incentive Regulation Rate Applications seeking approval for changes to its electricity distribution rates to be effective May 1, 2016.

On November 16, 2015, NPEI filed a second application (EB-2015-0328) to dispose of balances in the Lost Revenue Adjustment Mechanism Variance Account (LRAMVA) incurred as a result of administering conservation programs. In a letter issued on November 27, 2015, the OEB decided that it would hold a combined hearing for the applications filed by NPEI. The OEB decided that it would not award costs for review of Niagara Peninsula Energy's LRAMVA balance as this aspect of the combined hearing was mechanistic in nature.

The OEB granted Energy Probe Research Foundation (Energy Probe) and the Vulnerable Energy Consumers Coalition (VECC) intervenor status and cost award eligibility.

On May 12, 2016, the OEB issued its Decision and Rate Order, in which it set out the process for intervenors to file their cost claims, for Niagara Peninsula Energy to object to the claims and for intervenors to respond to any objections raised by Niagara Peninsula Energy.

The OEB received the cost claim from Energy Probe. By email dated June 29, 2016, VECC stated that it will not file a cost claim. No objections were received from Niagara Peninsula Energy.

OEB Findings

The OEB has reviewed the claim filed by Energy Probe to ensure that it is compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB finds that Energy Probe is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The OEB finds that Energy Probe's claim is reasonable and shall be reimbursed by Niagara Peninsula Energy.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Niagara Peninsula Energy shall immediately pay Energy Probe Research Foundation \$6,392.13.
2. Pursuant to section 30 of the Ontario Energy Board Act, 1998, Niagara Peninsula Energy shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto July 7, 2016

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary