



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

**DECISION AND ORDER ON COST
AWARDS**

EB-2016-0058

BRANTFORD POWER INC.

Application for electricity distribution rates beginning January 1, 2017

BEFORE: Ellen Fry
Presiding Member

Paul Pastirik
Member

February 22, 2017

INTRODUCTION AND SUMMARY

Brantford Power Inc. (Brantford Power) filed a complete cost of service application with the Ontario Energy Board (OEB) on May 4, 2016 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 Brantford Power charges for electricity distribution, to be effective January 1, 2017.

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

On November 24, 2016, the OEB issued its Decision and Order, in which it set out the process for intervenors to file their cost claims, for Brantford Power to object to the claims and for intervenors to respond to any objections raised by Brantford Power.

The OEB received cost claims from Energy Probe, SEC and VECC. No objections were filed by Brantford Power.

OEB Findings

The OEB has reviewed the claims filed by Energy Probe, SEC, and VECC to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The claim of Energy Probe requires a minor reduction to correct an error in the HST calculation for accommodation.

The OEB notes that SEC claimed 5.8 hours of settlement proposal preparation for Mark Rubenstein at an hourly rate of \$230/hour for work done after September 2016. SEC stated in its letter that "Mr. Rubenstein has six years' experience working fulltime on OEB matters, but not all of it has been as a lawyer. The first year was as a student-at-law, from September 2010 to September 2011, as an employee of our firm. During that time, he had substantial carriage of many matters, and worked in the manner of a junior lawyer on a number of other matters. All of it was OEB work."

Based on the OEB Registrar's letter dated February 10, 2017, the OEB has adjusted Mr. Rubenstein's hourly rate down to \$170/hr for work done after September 2016. This reduces SEC's total claim to \$11,295.48.

The OEB finds that the claim of VECC and the adjusted claims of Energy Probe and SEC are reasonable and that each of these claims shall be reimbursed by Brantford Power.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Brantford Power shall immediately pay:
 - Energy Probe Research Association \$19,816.67
 - Schools Energy Coalition \$11,295.48
 - Vulnerable Energy Consumers Coalition \$21,675.11
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Brantford Power shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto February 22, 2017

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary