



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

DECISION AND ORDER ON COST AWARDS

EB-2017-0269

NEWMARKET-TAY POWER DISTRIBUTION LTD.

MIDLAND POWER UTILITY CORPORATION

Application requesting approval for Newmarket-Tay Power
Distribution Ltd. to purchase and amalgamate with Midland Power
Utility Corporation

BEFORE: Ken Quesnelle
Presiding Member

Christine Long
Member and Vice-Chair

Cathy Spoel
Member

October 10, 2018

INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claim filed with respect to a Newmarket-Tay Power Distribution Ltd. (Newmarket-Tay Power) and Midland Power Utility Corporation (Midland Power) (collectively, the applicants) proceedings.

The applicants filed an application on July 18, 2017 under section 86 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (Act), requesting approval for the:

- Acquisition of all of the shares of Midland Power by Newmarket-Tay Power
- Transfer of Midland Power's distribution system to Newmarket-Tay Power
- Amalgamation of Newmarket-Tay Power and Midland Power, following the share purchase and to continue as Newmarket-Tay Power

The OEB granted the School Energy Coalition (SEC) intervenor status and cost award eligibility.

On August 23, 2018, the OEB issued its Decision and Order in which it set out the process for intervenors to file their cost claims, for the applicants to object to the claims, and for intervenors to respond to any objections raised by the applicants.

The OEB received a cost claim from SEC. No objections were received from the applicants.

Findings

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

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

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Newmarket-Tay Power Distribution Inc. and Midland Power Utility Corporation shall immediately pay the School Energy Coalition \$11,149.71.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Newmarket-Tay Power Distribution Inc. and Midland Power Utility Corporation shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto **October 10, 2018**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary