

DECISION AND ORDER ON COST AWARDS

EB- 2016-0003

Policy Consultation on Regional Planning and Cost Responsibility

By Delegation Before: Brian Hewson

March 22, 2019

INTRODUCTION AND SUMMARY

On June 24, 2016, the OEB issued a [letter](#) announcing that a working group had been established to provide input to OEB staff on issues related to potential revisions to the Distribution System Code (DSC) and the Transmission System Code (TSC) involving load customers to facilitate the implementation of regional plans and better align the Codes. The OEB identified that cost awards would be available to eligible members to a maximum of actual meeting time plus up to three hours per meeting for preparation and reporting. The working group met for 15 hours, which was spread over three meetings (July 12, 2016 to April 25, 2017).

On September 31, 2017, the OEB issued a Notice of Proposal to Amend a Code ([September Notice](#)) in which it proposed a number of amendments to the DSC and TSC ([September Proposed Amendments](#)). The OEB indicated that eligible participants could request cost awards to a maximum of 20 hours for providing written comments.

In the September Notice, the OEB identified that costs would be recovered from all rate-regulated electricity distributors (65% of the costs awarded) and all rate-regulated transmitters (35% of the costs awarded). Within the distributor class, costs awarded would be apportioned based on respective customer numbers. Within the transmitter class, the apportionment would be based on respective revenues (using the most recent three year average from their audited financial statements or similar documentation).

The OEB subsequently issued a [letter](#) on January 25, 2018 inviting stakeholders to participate in a Stakeholder Meeting on February 5th to further the understanding of the September Proposed Amendments (and the related stakeholder comments). For participation in the Stakeholder Meeting, the OEB indicated that cost awards would be available to a maximum of 10 hours to eligible participants that had provided written comments related to the September Proposed Amendments.

On August 23, 2018, after considering stakeholder feedback on the September Proposed Amendments, the OEB issued a Notice of Revised Proposal to Amend a Code ([August Notice](#)) in which it proposed revisions to the September Proposed Amendments ([August Revised Proposed Amendments](#)). The OEB indicated that eligible participants could request a cost award to a maximum of 10 hours for providing written comments in relation to the August Revised Proposed Amendments.

On December 18, 2018, the OEB issued a Notice of Amendments to the DSC and the TSC ([Final Code Amendments](#)). The issuance of the Final Code Amendments marked the end of a consultation, which was aimed at ensuring the cost responsibility rules for

load customers in the Codes are better aligned and facilitate the implementation of regional plans.¹

On February 14, 2019, the OEB issued a Notice of Hearing for Cost Awards to determine the cost awards. The following persons were identified to be eligible for an award of costs:

- Association of Major Power Consumers in Ontario (AMPCO)
- Building Owners and Managers Association, Greater Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- London Property Management Association (LPMA)
- Nishnawbe Aski Nation
- Northwestern Ontario Associated Chambers of Commerce (NOACC)
- Northwatch
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

The OEB received cost claims from AMPCO, CCC, CME, LPMA, NOACC, Northwatch, SEC and VECC (collectively, the Eligible Participants). The OEB received no objections in relation to the cost claims.

This Decision and Order is being issued by the Delegated Authority without holding a hearing pursuant to section 6(4) of the *Ontario Energy Board Act, 1998* (Act).

OEB Findings

The OEB has reviewed the cost claims filed by the Eligible Participants to ensure they were compliant with the OEB's *Practice Direction on Cost Awards* and the direction provided for each of the various steps in the consultation.

The OEB notes that NOACC's cost claim related to the provision of written comments on the September Proposed Amendments was for 36.4 hours. In the Notice of the September Proposed Amendments, the OEB has allowed for a maximum of 20 hours for written comments. Therefore, the OEB finds that NOACC's claim with respect to comments on the September Proposed Amendments will be reduced to 20 hours. As a result, the OEB has reduced NOACC's cost claim by \$5,096.30.

¹ Included in the December 18th Notice was a clarifying supplemental proposed DSC amendment. The December 18th Notice indicated no cost awards would be provided for comments.

AMPCO's cost claim has been reduced by \$21.63 due to an incorrect HST calculation.

The OEB finds that all the other claims are reasonable and approves the cost awards for the Eligible Participants as follows:

• Association of Major Power Consumers in Ontario	\$20,218.25
• Canadian Manufacturers & Exporters	\$5,981.09
• Consumers Council of Canada	\$14,373.60
• London Property Management Association	\$19,502.24
• Northwestern Ontario Associated Chambers of Commerce	\$11,187.00
• Northwatch	\$5,103.65
• School Energy Coalition	\$12,915.34
• Vulnerable Energy Consumers Coalition	\$12,948.33

Process for Paying the Cost Awards

The amount payable by each rate-regulated electricity distributor and transmitter in relation to costs awarded to each Eligible Participant is listed in Schedule A to this Decision and Order. However, the amounts will not be paid directly by the distributor or transmitter to the Eligible Participant.

The OEB will use the process set out in section 12 of the *Practice Direction* 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 distributors and transmitters 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 distributor and transmitter one invoice that covers all cost awards payable by the distributor or transmitter 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 distributor and transmitter 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 distributor and transmitter 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 paragraph 1 shall be made to the OEB in accordance with the invoice issued to each distributor and transmitter, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto March 22, 2019

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President
Consumer Protection and Industry Policy Division

Schedule A

OEB's Decision and Order on Cost Awards

EB-2016-0003

Electricity Transmission System Owner/Operator	Association of Major Power Consumers	Canadian Manufacturers & Exporters	Consumers Council of Canada	London Property Management Association	Northwatch	Northwestern Ontario Chamber of Commerce	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
B2M Limited Partnership	117.17	34.67	83.30	113.02	29.58	64.84	74.85	75.04	\$ 592.47
Canadian Niagara Power Inc.	20.14	5.96	14.32	19.43	5.09	11.15	12.87	12.90	\$ 101.86
Five Nations Energy Inc.	27.83	8.24	19.79	26.85	7.03	15.40	17.78	17.83	\$ 140.75
Hydro One Sault Ste. Marie Inc. on behalf of Hydro One Sault Ste. Marie LP	174.48	51.62	124.04	168.30	44.05	96.54	111.46	111.74	\$ 882.23
Hydro One Networks Inc.	6,736.77	1,992.90	4,789.31	6,498.19	1,700.53	3,727.52	4,303.41	4,314.41	\$ 34,063.04
Electricity Transmitters Total	\$ 7,076.39	\$ 2,093.39	\$ 5,030.76	\$ 6,825.79	\$ 1,786.28	\$ 3,915.45	\$ 4,520.37	\$ 4,531.92	\$ 35,780.35

Electricity Distribution System Owner/Operator	Association of Major Power Consumers	Canadian Manufacturers & Exporters	Consumers Council of Canada	London Property Management Association	Northwatch	Northwestern Ontario Chamber of Commerce	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
Algoma Power Inc.	30.20	8.94	21.47	29.13	7.63	16.71	19.29	19.34	\$ 152.71
Alectra Utilities Corporation	2,480.04	733.66	1,763.11	2,392.21	626.03	1,372.24	1,584.24	1,588.29	\$ 12,539.82
Atikokan Hydro Inc.	4.27	1.27	3.04	4.12	1.08	2.37	2.73	2.74	\$ 21.62
Attawapiskat Power Corporation	1.24	0.37	0.88	1.19	0.32	0.69	0.79	0.79	\$ 6.27
Bluewater Power Distribution Corporation	93.67	27.71	66.60	90.36	23.65	51.83	59.84	59.99	\$ 473.65
Brantford Power Inc.	101.16	29.93	71.92	97.58	25.54	55.98	64.62	64.79	\$ 511.52
Burlington Hydro Inc.	172.21	50.95	122.43	166.11	43.47	95.29	110.01	110.29	\$ 870.76
Canadian Niagara Power Inc.	74.25	21.97	52.79	71.62	18.75	41.09	47.43	47.55	\$ 375.45
Centre Wellington Hydro Ltd.	17.49	5.18	12.44	16.87	4.42	9.68	11.17	11.20	\$ 88.45
Chapleau Public Utilities Corporation	3.20	0.95	2.28	3.09	0.81	1.77	2.05	2.05	\$ 16.20
EPCOR Electricity Distribution Ontario Inc.	43.02	12.73	30.59	41.50	10.86	23.81	27.48	27.56	\$ 217.55
Cooperative Hydro Embrun Inc.	5.35	1.59	3.80	5.16	1.35	2.96	3.42	3.43	\$ 27.06

Electricity Distribution System Owner/Operator	Association of Major Power Consumers	Canadian Manufacturers & Exporters	Consumers Council of Canada	London Property Management Association	Northwatch	Northwestern Ontario Chamber of Commerce	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
Cornwall Street Railway Light and Power Company Limited	63.38	18.75	45.06	61.14	16.00	35.07	40.49	40.60	\$ 320.49
E.L.K. Energy Inc.	30.96	9.16	22.01	29.86	7.82	17.13	19.78	19.83	\$ 156.55
Energy+ Inc.	163.82	48.47	116.47	158.02	41.36	90.65	104.65	104.92	\$ 828.36
Entegrus Powerlines Inc.	149.41	44.20	106.22	144.12	37.72	82.67	95.45	95.69	\$ 755.48
Enwin Utilities Ltd.	225.70	66.77	160.46	217.71	56.98	124.89	144.18	144.55	\$ 1,141.24
ERTH Power Corporation - ERTH Power Main Rate Zone (formerly Erie Thames Powerlines Corporation)	47.73	14.12	33.93	46.04	12.05	26.41	30.49	30.57	\$ 241.34
Espanola Regional Hydro Distribution Corporation	8.51	2.52	6.05	8.21	2.15	4.71	5.44	5.45	\$ 43.04
Essex Powerlines Corporation	74.92	22.17	53.26	72.27	18.92	41.46	47.86	47.98	\$ 378.84
Festival Hydro Inc.	53.26	15.76	37.86	51.37	13.45	29.47	34.02	34.11	\$ 269.30
Fort Albany Power Corporation	0.74	0.22	0.53	0.72	0.19	0.41	0.48	0.48	\$ 3.77
Fort Frances Power Corporation	9.68	2.87	6.89	9.34	2.45	5.36	6.19	6.20	\$ 48.98
Greater Sudbury Hydro Inc.	122.25	36.17	86.91	117.92	30.86	67.64	78.09	78.29	\$ 618.13
Grimsby Power Incorporated	28.79	8.52	20.47	27.77	7.27	15.93	18.39	18.44	\$ 145.58
Alectra - Guelph Hydro Rate Zone (formerly Guelph Hydro Electric Systems Inc.)	139.03	41.13	98.84	134.11	35.10	76.93	88.81	89.04	\$ 702.99
Halton Hills Hydro Inc.	56.55	16.73	40.20	54.55	14.28	31.29	36.13	36.22	\$ 285.95
Hydro Hawkesbury Inc.	14.26	4.22	10.14	13.75	3.60	7.89	9.11	9.13	\$ 72.10
Hearst Power Distribution Company Limited	7.00	2.07	4.98	6.75	1.77	3.87	4.47	4.48	\$ 35.39
Hydro 2000 Inc.	3.27	0.97	2.32	3.15	0.83	1.81	2.09	2.09	\$ 16.53
Hydro One Networks Inc.	3,343.43	988.80	2,376.80	3,224.94	843.69	1,849.80	2,135.65	2,141.12	\$ 16,904.23
Hydro One Remote Communities Inc.	9.19	2.72	6.54	8.87	2.32	5.09	5.87	5.89	\$ 46.49
Hydro Ottawa Limited	837.95	247.89	595.72	808.28	211.53	463.65	535.28	536.65	\$ 4,236.95
Innpower Corporation	41.78	12.36	29.71	40.30	10.55	23.12	26.69	26.76	\$ 211.27
Kashechewan Power Corporation	0.96	0.29	0.69	0.93	0.25	0.54	0.62	0.62	\$ 4.90
Synergy North Corporation - Kenora Rate Zone (formerly Kenora Hydro Electric Corporation Ltd.)	14.39	4.26	10.23	13.88	3.64	7.96	9.19	9.22	\$ 72.77
Kingston Hydro Corporation	71.01	21.01	50.48	68.49	17.93	39.29	45.36	45.48	\$ 359.05
Kitchener-Wilmot Hydro Inc.	239.51	70.86	170.27	231.03	60.46	132.53	153.00	153.39	\$ 1,211.05
Lakefront Utilities Inc.	26.17	7.75	18.61	25.25	6.61	14.48	16.72	16.76	\$ 132.35
Lakeland Power Distribution Ltd.	34.50	10.21	24.53	33.27	8.71	19.09	22.04	22.09	\$ 174.44

Electricity Distribution System Owner/Operator	Association of Major Power Consumers	Canadian Manufacturers & Exporters	Consumers Council of Canada	London Property Management Association	Northwatch	Northwestern Ontario Chamber of Commerce	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
London Hydro Inc.	398.42	117.87	283.25	384.31	100.58	220.45	254.51	255.16	\$ 2,014.55
Newmarket-Tay Power Distribution Ltd. (formerly Midland Power)	18.43	5.45	13.10	17.77	4.66	10.20	11.77	11.80	\$ 93.18
Milton Hydro Distribution Inc.	93.09	27.54	66.18	89.80	23.50	51.51	59.47	59.62	\$ 470.71
Newmarket-Tay Power Distribution Ltd.	90.98	26.92	64.68	87.76	22.97	50.34	58.12	58.27	\$ 460.04
Niagara Peninsula Energy Inc.	136.51	40.39	97.05	131.68	34.46	75.54	87.20	87.43	\$ 690.26
Niagara-on-the-lake Hydro Inc.	23.24	6.88	16.52	22.42	5.87	12.86	14.85	14.88	\$ 117.52
North Bay Hydro Distribution Limited	62.09	18.37	44.14	59.89	15.68	34.35	39.66	39.76	\$ 313.94
Northern Ontario Wires Inc.	15.64	4.63	11.12	15.08	3.95	8.65	9.99	10.01	\$ 79.07
Oakville Hydro Electricity Distribution Inc.	174.99	51.77	124.41	168.80	44.18	96.83	111.79	112.07	\$ 884.84
Orangeville Hydro Limited	30.65	9.07	21.79	29.57	7.74	16.96	19.58	19.63	\$ 154.99
Orillia Power Distribution Corporation	34.80	10.30	24.74	33.57	8.79	19.26	22.23	22.29	\$ 175.98
Oshawa PUC Networks Inc.	144.54	42.76	102.76	139.42	36.49	79.98	92.34	92.57	\$ 730.86
Ottawa River Power Corporation	28.20	8.35	20.05	27.21	7.12	15.61	18.02	18.06	\$ 142.62
Peterborough Distribution Incorporated	93.93	27.79	66.78	90.61	23.72	51.98	60.01	60.16	\$ 474.98
PUC Distribution Inc.	86.49	25.59	61.49	83.43	21.84	47.86	55.25	55.39	\$ 437.34
Renfrew Hydro Inc.	11.03	3.27	7.84	10.64	2.79	6.10	7.05	7.06	\$ 55.78
Rideau St. Lawrence Distribution Inc.	15.16	4.49	10.78	14.63	3.83	8.39	9.69	9.71	\$ 76.68
Sioux Lookout Hydro Inc.	7.20	2.13	5.12	6.95	1.82	3.99	4.60	4.61	\$ 36.42
Synergy North Corporation - Thunder Bay Rate Zone (formerly Thunder Bay Hydro Electricity Distribution Inc.)	130.90	38.73	93.06	126.27	33.05	72.43	83.62	83.84	\$ 661.90
Tillsonburg Hydro Inc.	18.20	5.39	12.94	17.55	4.60	10.07	11.62	11.65	\$ 92.02
Toronto Hydro-Electric System Limited	1,953.24	577.82	1,388.61	1,884.07	493.06	1,080.76	1,247.73	1,250.91	\$ 9,876.20
Veridian Connections Inc.	306.57	90.70	217.95	295.71	77.39	169.63	195.84	196.34	\$ 1,550.13
Wasaga Distribution Inc.	34.08	10.09	24.23	32.88	8.61	18.86	21.77	21.83	\$ 172.35
Waterloo North Hydro Inc.	143.47	42.45	102.00	138.39	36.22	79.39	91.65	91.89	\$ 725.46
Welland Hydro-Electric System Corp.	58.63	17.35	41.68	56.55	14.80	32.44	37.45	37.55	\$ 296.45
Wellington North Power Inc.	9.65	2.86	6.86	9.31	2.44	5.34	6.17	6.18	\$ 48.81
ERTH Power Corporation - Goderich Rate Zone (formerly West Coast Huron Energy Inc.)	9.86	2.92	7.01	9.51	2.49	5.46	6.30	6.32	\$ 49.87
Westario Power Inc.	59.44	17.59	42.26	57.34	15.01	32.89	37.97	38.07	\$ 300.57
Whitby Hydro Electric Corporation	108.18	32.01	76.91	104.35	27.31	59.86	69.11	69.28	\$ 547.01

Electricity Distribution System Owner/Operator	Association of Major Power Consumers	Canadian Manufacturers & Exporters	Consumers Council of Canada	London Property Management Association	Northwatch	Northwestern Ontario Chamber of Commerce	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
Electricity Distributors Total	\$ 13,141.86	\$ 3,887.70	\$ 9,342.84	\$ 12,676.45	\$ 3,317.37	\$ 7,271.55	\$ 8,394.97	\$ 8,416.41	\$ 66,449.15
Total	\$ 20,218.25	\$ 5,981.09	\$ 14,373.60	\$ 19,502.24	\$ 5,103.65	\$ 11,187.00	\$ 12,915.34	\$ 12,948.33	\$ 102,229.50