



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

DECISION ON COST ELIGIBILITY

EB-2018-0287 & EB-2018-0288

**Utility Remuneration and Responding to Distributed Energy
Resources**

By Delegation Before: Brian Hewson

July 17, 2019

On March 15, 2019, the Ontario Energy Board (OEB) issued a [letter](#) initiating two integrated consultation processes: Utility Remuneration and Responding to Distributed Energy Resources (DERs). The letter indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998*. The letter made provision for stakeholders to apply for eligibility and for electricity distributors to object.

Applications for cost award eligibility were received from the following organizations:

- Association of Major Power Consumers in Ontario
- Association of Power Producers of Ontario
- Building Owners and Managers Association Toronto
- Canadian Biogas Association
- Canadian Manufacturers & Exporters
- Canadian Solar Industries Association
- Consumers Council of Canada
- Distributed Resource Coalition
- Energy Probe Research Foundation
- Energy Storage Canada
- Environmental Defense
- Industrial Gas Users Association
- London Property Management Association
- Mowat ENERGY (Responding to DERs only)
- Ontario CHP Consortium
- Ontario Sustainable Energy Association
- Pollution Probe
- School Energy Coalition
- Stem Energy Canada ULC
- Vulnerable Energy Consumers Coalition

No objections were received in relation to any of these applications.

The OEB has determined that the following applicants do not meet the criteria set out in the OEB's *Practice Direction on Cost Awards* (Practice Direction) and are therefore not eligible for cost awards:

- Association of Power Producers of Ontario
- Canadian Biogas Association
- Canadian Solar Industries Association
- Energy Storage Canada
- Ontario CHP Consortium
- Ontario Sustainable Energy Association
- Stem Energy Canada ULC

Based on the information provided these organizations' members appear to be commercial entities that are primarily representing their own commercial interest and therefore do not qualify under the Practice Direction.

The OEB also received a request for eligibility from the Distributed Resource Coalition. The Distributed Resource Coalition states it represents electricity customers and consumers that consists of end-use residential customers, small- and medium-sized commercial and industrial customers, non-profit organizations, and owners' associations that are directly affected by and interested in distributed energy resources. The request did not meet the requirements of section 3.03.1 of the Practice Direction in that it did not provide information on its members or governance structure in order to allow the OEB to consider its request. It also did not adequately explain how it meets the eligibility criteria set out in section 3.03. For these reasons, the request by the Distributed Resource Coalition for cost eligibility is denied, however the Distributed Resource Coalition may reapply providing that it address the concerns noted with additional information.

In light of the April 29, 2019 [announcement](#) from The Mowat Centre indicating that it will soon be closing, the OEB has determined that Mowat ENERGY is also ineligible for cost awards in this proceeding.

The OEB finds the following applicants do meet the criteria established in section 3 of the Practice Direction and are therefore eligible for cost awards:

- Association of Major Power Consumers in Ontario
- Building Owners and Managers Association Toronto
- Canadian Manufacturers & Exporters
- Consumers Council of Canada
- Energy Probe Research Foundation
- Environmental Defense
- Industrial Gas Users Association
- London Property Management Association
- Pollution Probe
- School Energy Coalition
- Vulnerable Energy Consumers Coalition

Participants with similar viewpoints are requested to coordinate their activities in order to reduce costs. This effort will be taken into account during the decision on award of costs.

Consultation activities for which eligible participants may claim costs will be announced as the project progresses. This cost eligibility decision applies to all eligible activities in this process.

DATED at Toronto July 17, 2019

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance