

October 9, 2019

**To: All Rate-Regulated Natural Gas Distributors
All Participants in EB-2019-0003**

**Re: Notice of Hearing for Cost Awards
Post-2020 Natural Gas Demand Side Management Framework – Phase 1
OEB File No.: EB-2019-0003**

Background

The OEB initiated the post-2020 Demand Side Management (DSM) Framework policy consultation on May 21, 2019. The OEB indicated the consultation will be completed in stages. In Phase 1, the OEB sought input and comments from interested stakeholders on the underlying guiding principles, on the goals and objectives to be achieved, and on the scope of the review. Phase 1 included a half-day stakeholder meeting on June 13, 2019. Following the stakeholder meeting, all parties had the opportunity to provide written comments to the OEB by June 27, 2019.

In the May 21, 2019 letter the OEB communicated the maximum number of hours for activities eligible for cost awards. The OEB also indicated that cost awards would be recovered from all rate-regulated natural gas distributors based on their respective customer numbers. The maximum number of hours and eligible activities for Phase 1 of the consultation are repeated in Appendix A of this Notice.

On June 11, 2019 the OEB issued its decision on cost eligibility granting cost eligibility to 18 parties. In its decision, the OEB noted that several participants appear to share similar interests, including environmental, ratepayer, building owners and operators, large users, and low-income interests. The OEB indicated its expectation that participants with similar viewpoints will coordinate their activities in order to increase efficiency and minimize costs.

A stakeholder session took place on June 13, 2019 that lasted for approximately three hours. Participating stakeholders filed comments subsequent to the stakeholder

conference on, among other matters, the appropriate scope of the OEB's review. On September 16, 2019, the OEB provided an update on the consultation process noting that the OEB will undertake a comprehensive review of a post-2020 DSM framework for natural gas distributors. The OEB also stated that this review will continue in the fall of 2019 and into 2020 and that the OEB will address cost awards for consultation activities to-date by separate correspondence in the near term.

Notice of Hearing

The OEB is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the *Ontario Energy Board Act, 1998* in relation to eligible consultation activities that have occurred since May 21, 2019.

The OEB intends to proceed by way of written hearing unless a party can satisfy the OEB that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the OEB no later than **seven (7) days** after the date of this Notice.

Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Eligible persons shall submit their cost claims by **October 23, 2019**. The cost claim must be filed with the OEB and one copy is to be served on each rate-regulated natural gas distributor. The cost claims must be completed in accordance with section 10 of the OEB's *Practice Direction on Cost Awards*.

Eligible persons must use the customized Cost Claim Form attached as Appendix B to this Notice.

2. Natural gas distributors will have until **November 1, 2019** to object to any aspect of the costs claimed. The objection must be filed with the OEB and one copy must be served on the eligible person against whose claim the objection is being made.
3. An eligible person whose cost claim was objected to will have until **November 8, 2019** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the OEB and one copy is to be served on the objecting natural gas distributor.
4. The OEB will then issue its decision on cost awards. The OEB's costs may also be addressed in the cost awards decision.

Service of cost claims, objections and reply submissions on other parties may be effected by courier, registered mail, facsimile or e-mail.

The OEB will use the process set out in section 12 of its *Practice Direction on Cost Awards* to implement the payment of the cost awards. Therefore, the OEB will act as a clearing house for all payments of cost awards in this process. For more information on this process parties may refer to the OEB's [Practice Direction on Cost Awards](#) and the [October 27, 2005 letter](#) regarding the rationale for the OEB acting as a clearing house for the cost award payments. These documents can be found on the OEB's [Rules, Codes, Guidelines and Forms](#) webpage.

All materials filed with the OEB must quote the proceeding number, EB-2019-0003, be made in a searchable/unrestricted PDF format and sent electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and email address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a USB memory stick in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Josh Wasylyk at Josh.Wasylyk@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

If you do not file a letter objecting to a written hearing or do not participate in the hearing by filing written materials in accordance with this Notice, the OEB may proceed without your participation and you will not be entitled to further notice in this proceeding.

Yours truly,

Original Signed By

Christine E. Long
Registrar and Board Secretary

Attachment

Appendix A

Notice of Hearing for Cost Awards

Post-2020 Natural Gas Demand Side Management Framework

EB-2019-0003

**Consultation Activities for Which Cost Claims may be Filed and
Maximum Number of Hours**

ACTIVITY	TOTAL ELIGIBLE HOURS PER PARTICIPANT
Preparation for the Phase 1 Stakeholder Meeting	Up to 2 hours
Attendance at the Phase 1 Stakeholder Meeting, June 13, 2019	Actual attendance time (Up to 3 hours)
Written comments on the three specific issues identified for Phase 1, June 27, 2019	Up to 4 hours

Appendix B

Notice of Hearing for Cost Awards

Post-2020 Natural Gas Demand Side Management Framework

EB-2019-0003

Appendix B: Ontario Energy Board Cost Claim for Consultations: Affidavit and Summary of Fees and Disbursements

The form that eligible persons must complete are provided in a separate MS Excel Workbook named, "EB-2019-0003_NOH Appendix B Cost Claim Form".