



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

DECISION AND ORDER ON COST AWARDS

EB-2019-0029

E.L.K ENERGY INC.

Application for rates and other charges to be effective May 1, 2020

BEFORE: Lynne Anderson
Presiding Member

Michael Janigan
Member

May 21, 2020

INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to an E.L.K. Energy Inc. (E.L.K. Energy) proceeding.

E.L.K. Energy filed an incentive rate-setting mechanism application with the OEB seeking approval for changes to its electricity distribution rates to be effective May 1, 2020. The application was filed on November 4, 2019, under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B).

The OEB granted the Vulnerable Energy Consumers Coalition (VECC) intervenor status and cost award eligibility in relation to E.L.K. Energy's request for a proposed rate increase in the context of its 2018 earnings. In 2018, E.L.K. Energy earned more than the 300 basis point dead band allowed from the OEB-approved Return on Equity. The OEB expects a distributor that applies for an increase to its base rates while earning in excess of the dead band to substantiate its reasons for doing so.

On April 16, 2020, the OEB issued its Decision and Rate Order in which it set out the process for VECC to file its cost claim, for E.L.K. Energy to object to the claim and for VECC to respond to any objection raised by E.L.K. Energy.

The OEB received a cost claim from VECC. No objection to the cost claim was received from E.L.K. Energy.

Findings

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

The OEB finds that VECC is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The OEB finds that VECC's claim is reasonable and shall be reimbursed by E.L.K. Energy.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, E.L.K. Energy Inc. shall immediately pay the Vulnerable Energy Consumers Coalition \$3,430.02.

DATED at Toronto May 21, 2020

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar and Board Secretary