



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

DECISION AND ORDER ON COST AWARDS

EB-2019-0234/EB-2016-0315

HYDRO ONE NETWORKS INC.

Motion to review and vary the Decision dated March 12, 2015 regarding Hydro One Networks Inc.'s electricity distribution rates and other charges beginning January 1, 2015 (EB-2013-0416/EB-2014-0247)

BEFORE: Cathy Spoel
Presiding Member

Ken Quesnelle
Member

Emad Elsayed
Member

October 26, 2020

INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to the merits phase of a motion regarding Hydro One Networks Inc.'s (Hydro One) electricity distribution rates and other charges beginning January 1, 2015 (EB-2013-0416/EB-2014-0247).

Hydro One filed its updated Seasonal Report on July 19, 2019 (2019 Seasonal Report). The 2019 Seasonal Report included a proposed alternative that would maintain the seasonal class. This was set out in Section 5 of the report entitled "Alternate Approach to Elimination of the Seasonal Class."

On September 17, 2019, the OEB issued Procedural Order No. 3 in the seasonal class elimination implementation proceeding, which noted that requests to reconsider an earlier OEB decision are made to the OEB by means of a motion to review under Part VII of the OEB's *Rules of Practice and Procedure* (Rules). In a motion to review, the OEB considers whether there is a question as to the correctness of the decision being reviewed.

The OEB further stated that it had determined that it would treat Section 5 of Hydro One's 2019 Seasonal Report as a motion to review the Seasonal Rates Elimination Determination. This is the current proceeding.

On December 10, 2019, the OEB issued a letter which confirmed that cost eligible intervenors in both the proceeding on Hydro One's application for approval of distribution rates for 2015 to 2019¹ and the proceeding on Hydro One's application for electricity distribution rates and other charges beginning January 1, 2016,² participating in this Motion proceeding, would be eligible for cost awards.

Balsam Lake Coalition (BLC), Consumers Council of Canada (CCC), Federation of Ontario Cottagers' Associations (FOCA) and Vulnerable Energy Consumers Coalition (VECC) were previously determined to be cost eligible, and were determined to be eligible to recover their reasonable costs of participation in the Motion proceeding in respect of the threshold question.

On March 12, 2020, the OEB issued its decision and order in the motion threshold proceeding (the motion threshold decision), which found that the threshold test had been met on two of the grounds cited by Hydro One in its submissions, but not the

¹ EB-2013-0416/EB-2014-0247

² EB-2013-0416/EB-2015-0079

remainder. The next phase of the proceeding was consideration of the merits of the motion.

On May 1, 2020, the OEB issued its Decision and Order on Cost Awards for the motion threshold phase of this proceeding.

On September 17, 2020, the OEB issued its Decision and Order on the merits phase of this proceeding in which it set out the process for intervenors to file their cost claims for this phase of the proceeding, for Hydro One to object to the claims and for intervenors to respond to any objections raised by Hydro One.

The OEB received cost claims from Balsam Lake Coalition (BLC) and Consumers Council of Canada (CCC). By email, the Federation of Ontario Cottagers' Association stated that it will not file a cost claim. No objections were received by Hydro One.

Findings

The OEB has reviewed the claims filed to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The OEB finds that the claims of BLC and CCC reasonable and each of these claims shall be reimbursed by Hydro One.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Hydro One Networks Inc. shall immediately pay the following amounts to the intervenors for their costs:

- | | |
|-------------------------------|-------------|
| • Balsam Lake Coalition | \$ 4,227.33 |
| • Consumers Council of Canada | \$ 2,796.75 |

DATED at Toronto October 26, 2020

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar