

DECISION AND ORDER ON COST AWARDS

EB-2020-0152

**Consultation on Implementing the Process for Enabling Customers to Opt Out
of Time-of-Use Pricing**

By Delegation Before: Brian Hewson

November 12, 2020

INTRODUCTION AND SUMMARY

On June 3, 2020 the Ontario Energy Board (OEB) issued a [letter](#) initiating a consultation to inform the development of amendments to its Standard Supply Service Code (SSSC) and other regulatory instruments as required in order to ensure the timely, efficient and effective implementation of a process for enabling customers to opt out of time-of-use (TOU) pricing. The letter indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998* and made provision for stakeholders to apply for eligibility.

In its June 3, 2020 letter, the OEB indicated that cost awards would be recovered from all rate-regulated licensed electricity distributors based on the number of customers they serve. Also in that letter, the OEB determined that cost awards would be available to eligible participants for participation in the initial stakeholder meeting and in meetings of the TOU Customer Choice Working Group, to a maximum of actual meeting time plus 50% of meeting time for preparation and reporting.

On June 11, 2020, the OEB issued its Decision on Cost Award Eligibility granting cost eligibility to the following parties:

- Building Owners and Managers Association Toronto (BOMA)
- Consumers Council of Canada (CCC)
- London Property Management Association (LPMA)
- Low Income Energy Network (LIEN)
- Vulnerable Energy Consumers Coalition (VECC)

The OEB issued letters on [June 3, 2020](#) and [August 6, 2020](#), and Notices on [July 15, 2020](#) and [August 25, 2020](#) setting out the following eligible activities for costs awards:

**Consultation on Implementing the Process for Enabling Customers
To Opt Out of Time-of-Use Pricing**

Activity Eligible for Cost Awards	Max. Number of Hours
Participation in the initial stakeholder meeting and in meetings of the TOU Customer Choice Working Group	Actual meeting time + 50% of meeting time for preparation and reporting
Preparation of written comments on the proposed amendments to the SSSC	8 hours
Participation in stakeholder meeting on the role of the Smart Metering Entity	Actual meeting time + 50% of meeting time for preparation and reporting
Preparation of written comments on the revised proposed amendments to the SSSC	3 hours

The OEB received cost claims from BOMA, CCC, LPMA, LIEN and VECC. No objections were received.

OEB Findings

The OEB has reviewed the cost claims filed by BOMA, CCC, LPMA, LIEN and VECC to ensure they are compliant with the OEB's *Practice Direction on Cost Awards (Practice Direction)*. The OEB finds that all the claims are in accordance with the OEB's letters and Notices. The OEB finds that each of these eligible participants is entitled to 100% of its reasonably incurred costs of participating in this proceeding. The OEB approves cost awards for the eligible participants as follows:

• Building Owners and Managers Association, Greater Toronto	\$1,867.89
• Consumers Council of Canada	\$4,847.70
• London Property Management Association	\$3,803.58
• Low Income Energy Network	\$9,031.53
• Vulnerable Energy Consumers Coalition	\$7,203.04

Process for Paying the Cost Awards

The amount payable by each rate-regulated licensed electricity distributors in relation to costs awarded to each eligible participant is listed in Schedule A to this Decision and Order. Costs awarded will be apportioned within the distributor class based on customer numbers. However, the amounts will not be paid directly by the distributor 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 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 one invoice that covers all cost awards payable by the distributor 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 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 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 shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto November 12, 2020

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President
Consumer Protection & Industry Performance

Schedule A
OEB's Decision and Order on Cost Awards
EB-2020-0152

Electricity Distribution System Owner/Operator	Building Owners and Managers Association	Consumer Council of Canada	London Property Management Association	Low Income Energy Network	Vulnerable Energy Consumers Coalition	Total
Algoma Power Inc.	4.25	11.04	8.66	20.56	16.40	60.91
Alectra Utilities Corporation	369.17	958.11	751.75	1,785.01	1,423.62	5,287.66
Atikokan Hydro Inc.	0.59	1.54	1.21	2.87	2.29	8.50
Attawapiskat Power Corporation	0.19	0.48	0.38	0.90	0.72	2.67
Bluewater Power Distribution Corporation	13.27	34.43	27.01	64.14	51.15	190.00
Brantford Power Inc.	14.39	37.36	29.31	69.60	55.51	206.17
Burlington Hydro Inc.	24.43	63.41	49.75	118.14	94.22	349.95
Canadian Niagara Power Inc.	10.54	27.36	21.47	50.97	40.65	150.99
Centre Wellington Hydro Ltd.	2.51	6.52	5.11	12.14	9.68	35.96
Chapleau Public Utilities Corporation	0.45	1.16	0.91	2.16	1.72	6.40
EPCOR Electricity Distribution Ontario Inc	6.23	16.18	12.69	30.14	24.03	89.27

Electricity Distribution System Owner/Operator	Building Owners and Managers Association	Consumer Council of Canada	London Property Management Association	Low Income Energy Network	Vulnerable Energy Consumers Coalition	Total
Cooperative Hydro Embrun Inc.	0.81	2.11	1.65	3.92	3.13	11.62
E.L.K. Energy Inc.	4.43	11.50	9.02	21.42	17.08	63.45
Energy+ Inc.	23.52	61.05	47.90	113.73	90.71	336.91
Entegrus Powerlines Inc.	21.30	55.27	43.36	102.97	82.12	305.02
Enwin Utilities Ltd.	32.11	83.33	65.38	155.25	123.82	459.89
ERTH Power Corporation	8.28	21.50	16.87	40.05	31.94	118.64
Espanola Regional Hydro Distribution Corporation	1.19	3.10	2.43	5.78	4.61	17.11
Essex Powerlines Corporation	10.79	28.00	21.97	52.17	41.61	154.54
Elexicon Energy	59.25	153.76	120.65	286.47	228.47	848.60
Festival Hydro Inc.	7.67	19.90	15.61	37.07	29.56	109.81
Fort Albany Power Corporation	0.11	0.28	0.22	0.52	0.41	1.54
Fort Frances Power Corporation	1.36	3.53	2.77	6.57	5.24	19.47
Greater Sudbury Hydro Inc.	17.23	44.71	35.08	83.30	66.44	246.76
Grimsby Power Incorporated	4.13	10.71	8.40	19.95	15.91	59.10
Halton Hills Hydro Inc.	8.08	20.97	16.45	39.07	31.16	115.73

Electricity Distribution System Owner/Operator	Building Owners and Managers Association	Consumer Council of Canada	London Property Management Association	Low Income Energy Network	Vulnerable Energy Consumers Coalition	Total
Hydro Hawkesbury Inc.	2.01	5.22	4.09	9.72	7.75	28.79
Hearst Power Distribution Company Limited	0.98	2.54	1.99	4.73	3.78	14.02
Hydro 2000 Inc.	0.47	1.21	0.95	2.25	1.79	6.67
Hydro One Networks Inc.	479.56	1,244.64	976.62	2,318.91	1,849.47	6,869.20
Hydro One Remote Communities Inc.	1.31	3.40	2.67	6.34	5.05	18.77
Hydro Ottawa Limited	120.49	312.69	245.34	582.56	464.62	1,725.70
Innpower Corporation	6.30	16.34	12.82	30.44	24.28	90.18
Kashechewan Power Corporation	0.16	0.41	0.32	0.76	0.60	2.25
Kingston Hydro Corporation	10.01	25.99	20.39	48.42	38.62	143.43
Kitchener-Wilmot Hydro Inc.	34.73	90.12	70.71	167.90	133.91	497.37
Lakefront Utilities Inc.	3.76	9.75	7.65	18.16	14.48	53.80
Lakeland Power Distribution Ltd.	4.91	12.74	9.99	23.73	18.92	70.29
London Hydro Inc.	57.12	148.24	116.31	276.18	220.26	818.11
Milton Hydro Distribution Inc.	13.87	36.00	28.25	67.07	53.49	198.68
Newmarket-Tay Power Distribution Ltd.	15.64	40.60	31.85	75.63	60.32	224.04

Electricity Distribution System Owner/Operator	Building Owners and Managers Association	Consumer Council of Canada	London Property Management Association	Low Income Energy Network	Vulnerable Energy Consumers Coalition	Total
Niagara Peninsula Energy Inc.	19.89	51.61	40.50	96.16	76.69	284.85
Niagara-on-the-lake Hydro Inc.	3.40	8.83	6.93	16.45	13.12	48.73
North Bay Hydro Distribution Limited	8.75	22.72	17.82	42.32	33.76	125.37
Northern Ontario Wires Inc.	2.16	5.61	4.40	10.45	8.33	30.95
Oakville Hydro Electricity Distribution Inc.	25.63	66.52	52.19	123.93	98.84	367.11
Orangeville Hydro Limited	4.48	11.62	9.12	21.65	17.27	64.14
Orillia Power Distribution Corporation	5.03	13.05	10.24	24.30	19.38	72.00
Oshawa PUC Networks Inc.	20.98	54.44	42.71	101.43	80.89	300.45
Ottawa River Power Corporation	4.04	10.48	8.22	19.52	15.57	57.83
Peterborough Distribution Incorporated	13.44	34.89	27.37	65.00	51.84	192.54
PUC Distribution Inc.	12.18	31.61	24.80	58.89	46.97	174.45
Renfrew Hydro Inc.	1.56	4.05	3.17	7.54	6.01	22.33
Rideau St. Lawrence Distribution Inc.	2.14	5.55	4.35	10.34	8.25	30.63
Sioux Lookout Hydro Inc.	1.03	2.66	2.09	4.96	3.95	14.69
Synergy North Corporation	20.48	53.14	41.70	99.01	78.96	293.29

Electricity Distribution System Owner/Operator	Building Owners and Managers Association	Consumer Council of Canada	London Property Management Association	Low Income Energy Network	Vulnerable Energy Consumers Coalition	Total
Tillsonburg Hydro Inc.	2.59	6.73	5.28	12.53	9.99	37.12
Toronto Hydro-Electric System Limited	278.66	723.19	567.43	1,347.35	1,074.57	3,991.20
Wasaga Distribution Inc.	4.93	12.80	10.05	23.86	19.03	70.67
Waterloo North Hydro Inc.	20.68	53.66	42.10	99.98	79.74	296.16
Welland Hydro-Electric System Corp.	8.39	21.77	17.08	40.55	32.34	120.13
Wellington North Power Inc.	1.37	3.55	2.79	6.62	5.28	19.61
Westario Power Inc.	8.48	22.02	17.28	41.02	32.72	121.52
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Electricity Distribution Total	\$ 1,867.89	\$ 4,847.70	\$ 3,803.58	\$ 9,031.53	\$ 7,203.04	\$ 26,753.74