

DECISION AND ORDER ON COST AWARDS

EB-2018-0287 AND EB-2018-0288

Utility Remuneration and Responding to Distributed Energy Resources

By Delegation Before: Brian Hewson

November 12, 2020

INTRODUCTION AND SUMMARY

On March 15, 2019, the Ontario Energy Board (OEB) issued a <u>letter</u> initiating two integrated consultation processes: Utility Remuneration and Responding to Distributed Energy Resources (DERs). As is the OEB's practice when a consultation on complex issues is expected to span several phases, the OEB has determined to award costs to eligible participants for activities to date.

In its March 15, 2019 letter, the OEB indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998* to eligible participants for their participation in either one or both initiatives. Costs awarded for integrated consultation activities (e.g., stakeholder conferences addressing both initiatives) would be recovered as follows:

- 80% from all rate-regulated licensed electricity distributors
- 20% from all rate-regulated licensed electricity transmitters

Costs would be apportioned based on the cost assessment model.

On July 17, 2019, the OEB issued its <u>Decision on Cost Eligibility</u> and determined the following applicants to be eligible for an award of costs in relation to cost eligible activities:

- Association of Major Power Consumers in Ontario (AMPCO)
- Building Owners and Managers Association Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Pollution Probe
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On September 9, 2019, the OEB issued its <u>Supplementary Decision on Cost Eligibility</u> and determined the Electric Vehicle Society (EVS) to also be eligible for cost awards in the policy consultation.

Since initiating these consultations, the OEB issued letters on <u>July 17, 2019</u>, <u>September 26, 2019</u> and <u>January 21, 2020</u>, setting out the following eligible activities for costs awards:

Activity Eligible for Cost Awards	Max. Number of Hours
Preparation for, attendance at, and reporting on the September 2019 stakeholder meeting (for eligible participants and/or their consultants)	Actual meeting time + 4 hours
Preparation of presentation for September 2019 stakeholder meeting	6 hours
Written comments summarizing views on objectives, issues and guiding principles for each initiative	10 hours
Preparation for, attendance at, and reporting on the February 2020 stakeholder meeting (for eligible participants and/or their consultants)	Actual meeting time + 4 hours
Written comments on staff's proposals	10 hours

The OEB received cost claims from AMPCO, BOMA, CME, CCC, Energy Probe, EVS, Environmental Defence, IGUA, LPMA, Pollution Probe, SEC and VECC. No objections were received.

OEB Findings

The OEB has reviewed the cost claims filed by AMPCO, BOMA, CME, CCC, Energy Probe, EVS, Environmental Defence, IGUA, LPMA, Pollution Probe, SEC and VECC to ensure they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB has determined that the cost claims submitted by AMPCO, BOMA, CCC, Energy Probe, EVS, Environmental Defence, LPMA, Pollution Probe, SEC and VECC are in accordance with the overall limits set out in the OEB's letters dated July 17, 2019, September 26, 2019 and January 21, 2020.

The cost claim submitted by CME exceeds the maximum number of hours set out in the OEB's letter for one category. The OEB will not award costs to CME in excess of the 10

hour maximum for the activity: "Preparation for, attendance at, and reporting on the February 2020 stakeholder meeting". The actual meeting time was 6 hours plus 4 hours for preparation for a total of 10 hours maximum. CME claimed 10.5 hours. The OEB has therefore reduced CME's claim to the stipulated maximum of 10 hours for this category. The approved amounts are set out in Schedule A to this Decision and Order.

The cost claim submitted by IGUA exceeds the maximum number of hours set out in the OEB's letter for one category. The OEB will not award costs to IGUA in excess of the 25-hour maximum for the activity: "Preparation for, attendance at, and reporting on the September 2019 stakeholder meeting". The actual meeting time was 21 hours plus 4 hours for preparation for a total of 25 hours maximum. IGUA claimed 25.4 hours. The OEB has therefore reduced IGUA's claim to the stipulated maximum of 25 hours for this category. The approved amounts are set out in Schedule A to this Decision and Order.

The OEB finds that the claims of AMPCO, BOMA, CCC, EVS, Energy Probe, Environmental Defence, LPMA, Pollution Probe, SEC and VECC and the reduced claims of the CME and IGUA are reasonable. The OEB approves cost awards for the eligible participants as follows:

•	Association of Major Power Consumers in Ontario	\$12,585.38
•	Building Owners and Managers Association Toronto	\$6,712.20
•	Canadian Manufacturers & Exporters	\$18,181.70
•	Consumers Council of Canada	\$14,170.20
•	Electric Vehicle Society	\$11,422.85
•	Energy Probe Research Foundation	\$17,396.78
•	Environmental Defence	\$14,424.45
•	Industrial Gas Users Association	\$18,473.97
•	London Property Management Association	\$15,624.51
•	Pollution Probe	\$22,374.00
•	School Energy Coalition	\$22,374.00
•	Vulnerable Energy Consumers Coalition	\$13,634.33

Process for Paying the Cost Awards

The amount payable by each rate-regulated licensed electricity distributor and transmitter 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 and transmitter class based on customer numbers. However, the amounts will not be paid directly by the distributor and transmitter 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 and transmitters 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 and transmitter 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:

- Each distributor and transmitter 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 and transmitter listed in Schedule A to this Decision and Order shall pay the OEB's costs of, and incidental to, this consultation from September 2019 to May 2020 to be invoiced by the OEB.
- 3. The payments referred to in paragraph 1 shall be made to the OEB in accordance with the invoice issued to each distributor and transmitter, 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-2018-0287 and EB-2018-0288

Electricity Distribution System Owner/Operator	Association of Major Power Consumers in Ontario	Building Owners and Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Energy Probe Research Foundation	Environmental Defence	Industrial Gas Users Association	London Property Management Association	Pollution Probe	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
Algoma Power Inc.	22.92	12.22	33.11	25.81	20.80	31.68	26.27	33.64	28.45	40.75	40.75	24.83	341.23
Alectra Utilities Corporation	1,989.92	1,061.29	2,874.77	2,240.50	1,806.11	2,750.67	2,280.70	2,920.98	2,470.45	3,537.63	3,537.63	2,155.77	29,626.42
Atikokan Hydro Inc.	3.20	1.71	4.62	3.60	2.91	4.42	3.67	4.70	3.97	5.69	5.69	3.47	47.65
Attawapiskat Power Corporation	1.00	0.53	1.45	1.13	0.91	1.39	1.15	1.47	1.24	1.78	1.78	1.09	14.92
Bluewater Power Distribution Corporation	71.50	38.14	103.30	80.51	64.90	98.84	81.95	104.96	88.77	127.12	127.12	77.46	1,064.57
Brantford Power Inc.	77.59	41.38	112.09	87.36	70.42	107.25	88.92	113.89	96.32	137.93	137.93	84.05	1,155.13
Burlington Hydro Inc.	131.70	70.24	190.27	148.29	119.54	182.05	150.95	193.32	163.51	234.14	234.14	142.68	1,960.83
Canadian Niagara Power Inc.	56.82	30.31	82.09	63.98	51.58	78.55	65.13	83.41	70.55	101.02	101.02	61.56	846.02
Centre Wellington Hydro Ltd.	13.54	7.22	19.56	15.24	12.29	18.71	15.52	19.87	16.81	24.07	24.07	14.67	201.57
Chapleau Public Utilities Corporation	2.41	1.28	3.48	2.71	2.19	3.33	2.76	3.53	2.99	4.28	4.28	2.61	35.85
EPCOR Electricity Distribution Ontario Inc	33.60	17.92	48.53	37.83	30.49	46.44	38.50	49.31	41.71	59.72	59.72	36.40	500.17
Cooperative Hydro Embrun Inc.	4.37	2.33	6.32	4.93	3.97	6.05	5.01	6.42	5.43	7.78	7.78	4.74	65.13
E.L.K. Energy Inc.	23.88	12.73	34.49	26.88	21.67	33.00	27.37	35.05	29.64	42.45	42.45	25.87	355.48
Energy+ Inc.	126.79	67.62	183.17	142.76	115.08	175.26	145.32	186.11	157.41	225.40	225.40	137.36	1,887.68
Entegrus Powerlines Inc.	114.79	61.22	165.83	129.24	104.19	158.67	131.56	168.50	142.51	204.07	204.07	124.36	1,709.01
Enwin Utilities Ltd.	173.08	92.31	250.04	194.87	157.09	239.24	198.37	254.06	214.87	307.69	307.69	187.50	2,576.81

Electricity Distribution System Owner/Operator	Association of Major Power Consumers in Ontario	Building Owners and Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Energy Probe Research Foundation	Environmental Defence	Industrial Gas Users Association	London Property Management Association	Pollution Probe	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
ERTH Power Corporation	44.65	23.81	64.50	50.27	40.53	61.72	51.17	65.54	55.43	79.38	79.38	48.37	664.75
Espanola Regional Hydro Distribution Corporation	6.44	3.43	9.30	7.25	5.84	8.90	7.38	9.45	7.99	11.45	11.45	6.98	95.86
Essex Powerlines Corporation	58.16	31.02	84.02	65.48	52.79	80.40	66.66	85.37	72.21	103.40	103.40	63.01	865.92
Elexicon Energy	319.36	170.32	461.36	359.57	289.86	441.45	366.02	468.78	396.47	567.74	567.74	345.97	4,754.64
Festival Hydro Inc.	41.32	22.04	59.70	46.53	37.51	57.12	47.36	60.66	51.30	73.46	73.46	44.77	615.23
Fort Albany Power Corporation	0.58	0.31	0.84	0.65	0.53	0.80	0.66	0.85	0.72	1.03	1.03	0.63	8.63
Fort Frances Power Corporation	7.33	3.91	10.59	8.25	6.65	10.13	8.40	10.76	9.10	13.03	13.03	7.94	109.12
Greater Sudbury Hydro Inc.	92.86	49.53	134.16	104.56	84.29	128.37	106.43	136.32	115.29	165.09	165.09	100.60	1,382.59
Grimsby Power Incorporated	22.24	11.86	32.13	25.04	20.19	30.74	25.49	32.65	27.61	39.54	39.54	24.10	331.13
Halton Hills Hydro Inc.	43.55	23.23	62.92	49.03	39.53	60.20	49.91	63.93	54.07	77.42	77.42	47.18	648.39
Hydro Hawkesbury Inc.	10.83	5.78	15.65	12.20	9.83	14.97	12.42	15.90	13.45	19.26	19.26	11.74	161.29
Hearst Power Distribution Company Limited	5.28	2.82	7.63	5.94	4.79	7.30	6.05	7.75	6.55	9.38	9.38	5.72	78.59
Hydro 2000 Inc.	2.51	1.34	3.62	2.82	2.28	3.47	2.87	3.68	3.11	4.46	4.46	2.72	37.34
Hydro One Networks Inc.	2,585.13	1,378.73	3,734.67	2,910.64	2,346.29	3,573.42	2,962.90	3,794.70	3,209.38	4,595.77	4,595.77	2,800.55	38,487.95
Hydro One Remote Communities Inc.	7.06	3.77	10.20	7.95	6.41	9.76	8.09	10.37	8.77	12.56	12.56	7.65	105.15
Hydro Ottawa Limited	649.44	346.37	938.22	731.22	589.45	897.72	744.34	953.31	806.27	1,154.56	1,154.56	703.57	9,669.03
Innpower Corporation	33.93	18.10	49.02	38.21	30.80	46.91	38.89	49.81	42.13	60.33	60.33	36.76	505.22
Kashechewan Power Corporation	0.84	0.45	1.22	0.95	0.76	1.16	0.96	1.24	1.05	1.50	1.50	0.91	12.54
Kingston Hydro Corporation	53.98	28.79	77.98	60.78	48.99	74.61	61.87	79.23	67.01	95.96	95.96	58.48	803.64
Kitchener-Wilmot Hydro Inc.	187.18	99.83	270.41	210.75	169.89	258.73	214.53	274.75	232.37	332.76	332.76	202.78	2,786.74
Lakefront Utilities Inc.	20.24	10.80	29.24	22.79	18.37	27.98	23.20	29.71	25.13	35.98	35.98	21.93	301.35

Electricity Distribution System Owner/Operator	Association of Major Power Consumers in Ontario	Building Owners and Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Energy Probe Research Foundation	Environmental Defence	Industrial Gas Users Association	London Property Management Association	Pollution Probe	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
Lakeland Power Distribution Ltd.	26.45	14.11	38.21	29.78	24.01	36.56	30.32	38.83	32.84	47.02	47.02	28.66	393.81
London Hydro Inc.	307.88	164.20	444.78	346.65	279.44	425.58	352.87	451.93	382.23	547.34	547.34	333.54	4,583.78
Milton Hydro Distribution Inc.	74.77	39.88	108.02	84.19	67.86	103.36	85.70	109.76	92.83	132.93	132.93	81.00	1,113.23
Newmarket-Tay Power Distribution Ltd.	84.31	44.97	121.81	94.93	76.53	116.55	96.64	123.76	104.67	149.89	149.89	91.34	1,255.29
Niagara Peninsula Energy Inc.	107.20	57.17	154.86	120.70	97.29	148.18	122.86	157.35	133.08	190.57	190.57	116.13	1,595.96
Niagara-on-the-lake Hydro Inc.	18.33	9.78	26.49	20.64	16.64	25.34	21.01	26.91	22.76	32.59	32.59	19.86	272.94
North Bay Hydro Distribution Limited	47.18	25.16	68.16	53.12	42.82	65.22	54.08	69.26	58.58	83.88	83.88	51.12	702.46
Northern Ontario Wires Inc.	11.65	6.21	16.83	13.12	10.57	16.10	13.35	17.10	14.46	20.71	20.71	12.62	173.43
Oakville Hydro Electricity Distribution Inc.	138.15	73.68	199.59	155.55	125.39	190.97	158.34	202.80	171.52	245.61	245.61	149.67	2,056.88
Orangeville Hydro Limited	24.14	12.87	34.87	27.18	21.91	33.37	27.67	35.43	29.97	42.92	42.92	26.15	359.40
Orillia Power Distribution Corporation	27.09	14.45	39.14	30.51	24.59	37.45	31.05	39.77	33.64	48.17	48.17	29.35	403.38
Oshawa PUC Networks Inc.	113.07	60.30	163.35	127.31	102.62	156.29	129.59	165.97	140.37	201.01	201.01	122.49	1,683.38
Ottawa River Power Corporation	21.77	11.61	31.44	24.51	19.76	30.09	24.95	31.95	27.02	38.69	38.69	23.58	324.06
Peterborough Distribution Incorporated	72.46	38.64	104.68	81.58	65.77	100.16	83.05	106.36	89.96	128.82	128.82	78.50	1,078.80
PUC Distribution Inc.	65.65	35.01	94.84	73.92	59.58	90.75	75.24	96.37	81.50	116.71	116.71	71.12	977.40
Renfrew Hydro Inc.	8.40	4.48	12.14	9.46	7.63	11.62	9.63	12.34	10.43	14.94	14.94	9.10	125.11
Rideau St. Lawrence Distribution Inc.	11.53	6.15	16.65	12.98	10.46	15.93	13.21	16.92	14.31	20.49	20.49	12.49	171.61
Sioux Lookout Hydro Inc.	5.53	2.95	7.98	6.22	5.02	7.64	6.33	8.11	6.86	9.82	9.82	5.99	82.27
Synergy North Corporation	110.37	58.86	159.45	124.27	100.18	152.57	126.50	162.01	137.02	196.22	196.22	119.57	1,643.24
Tillsonburg Hydro Inc.	13.97	7.45	20.18	15.73	12.68	19.31	16.01	20.50	17.34	24.83	24.83	15.13	207.96
Toronto Hydro-Electric System Limited	1,502.02	801.08	2,169.92	1,691.16	1,363.27	2,076.24	1,721.50	2,204.80	1,864.73	2,670.25	2,670.25	1,627.21	22,362.43

Electricity Distribution System Owner/Operator	Association of Major Power Consumers in Ontario	Building Owners and Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Energy Probe Research Foundation	Environmental Defence	Industrial Gas Users Association	London Property Management Association	Pollution Probe	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
Wasaga Distribution Inc.	26.59	14.18	38.42	29.94	24.14	36.76	30.48	39.04	33.02	47.28	47.28	28.81	395.94
Waterloo North Hydro Inc.	111.45	59.44	161.01	125.49	101.16	154.06	127.74	163.60	138.37	198.14	198.14	120.74	1,659.34
Welland Hydro-Electric System Corp.	45.21	24.11	65.31	50.90	41.03	62.49	51.81	66.36	56.12	80.37	80.37	48.97	673.05
Wellington North Power Inc.	7.38	3.94	10.66	8.31	6.70	10.20	8.46	10.84	9.16	13.12	13.12	8.00	109.89
Westario Power Inc.	45.73	24.39	66.07	51.49	41.51	63.22	52.42	67.13	56.78	81.30	81.30	49.54	680.88
Electricity Distribution Total	10,068.30	5,369.76	14,545.36	11,336.16	9,138.28	13,917.42	11,539.56	14,779.18	12,499.61	17,899.20	17,899.20	10,907.46	149,899.49

Electricity Transmission System Owner/Operator	Association of Major Power Consumers in Ontario	Building Owners and Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Energy Probe Research Foundation	Environmen tal Defence	Industrial Gas Users Association	London Property Management Association	Pollution Probe	School Energy Coalition	Vulnerable Energy Consumers Coalition	Total
B2M Limited Partnership	52.28	27.89	75.53	58.87	47.46	72.27	59.93	76.75	64.91	92.95	92.95	56.64	778.43
Canadian Niagara Power Inc.	7.39	3.94	10.67	8.32	6.70	10.21	8.46	10.84	9.17	13.13	13.13	8.00	109.96
Five Nations Energy Inc.	11.87	6.33	17.14	13.36	10.77	16.40	13.60	17.42	14.73	21.10	21.10	12.86	176.68
Hydro One Sault Ste. Marie Inc. on behalf of Hydro One Sault Ste. Marie LP	63.52	33.88	91.77	71.52	57.66	87.81	72.81	93.25	78.86	112.93	112.93	68.82	945.76
Hydro One Networks Inc.	2,382.02	1,270.40	3,441.23	2,681.97	2,161.98	3,292.67	2,730.09	3,496.53	2,957.23	4,234.69	4,234.69	2,580.55	35,464.05

Electricity Transmitters Total	2,517.08	1,342.44	3,636.34	2,834.04	2,284.57	3,479.36	2,884.89	3,694.79	3,124.90	4,474.80	4,474.80	2,726.87	37,474.88
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Total	12,585.38	6,712.20	18,181.70	14,170.20	11,422.85	17,396.78	14,424.45	18,473.97	15,624.51	22,374.00	22,374.00	13,634.33	\$ 187,374.37