

January 26, 2021

Christine Long
Registrar
Ontario Energy Board
2300 Yonge Street
P.O. Box 2319
Toronto, Ontario
M4P 1E4

Dear Ms. Long:

EB-2020-0030 – Hydro One Networks Inc. 2021 Distribution Rates – Cost Claim Objection

The Consumers Council of Canada (“Council”) was an active intervenor in the above-referenced proceeding. On January 10, 2021, the Council filed its cost claim for participating in the proceeding. The overall claim was for an amount of \$2,610.30 which included 13% HST in the amount of \$300.30. The Council billed 2.5 hours for the preparation of its argument.

On January 18, 2021 Hydro One Networks Inc. (“HON”) filed a submission objecting to the cost claims of the Council, the Canadian Manufacturers and Exporters, the School Energy Coalition and the Association of Major Power Consumers in Ontario. The basis for the objection was the following:

Procedural Order No. 1 states that the cost awards will be limited to “activities related to Hydro One’s request to dispose of the balances in the deferral and variance accounts and the Earnings Sharing Mechanism account” and that despite broad descriptions of areas of interest in some intervention letters, the OEB expects its review of this application to be a primarily mechanistic process. The OEB therefore expects that parties’ participation will reflect the limited scope of the proceeding.”

Nevertheless CME, SEC, AMPCO devoted over fifty percent of their argument to issues that clearly fell outside the scope of P.O. #1 including argument that essentially amounted to a request to re-open and re-litigate the capital factor which was approved by the OEB in EB-2017-0049 for the duration of the Custom IR period. In the Decision and Rate order the OEB agreed with Hydro One and stated that, “this matter is out of scope for this application.”

On this basis Hydro One is proposing that a reduction to the cost claims each of CME, SEC, AMPCO and CCC in the amount of 50% under the Argument Preparation category.

HON is seeking a proposed reduction for the Council of \$466.13. The Council is of the view that the OEB should use its discretion to allow the Council to be awarded 100% of its reasonably incurred costs for this proceeding including those costs related to its submissions regarding the calculation of the C-factor. Although the OEB did not identify this issue as in scope, within this proceeding, parties truly felt that the original Order was not consistent with the original Decision. The OEB would not have been aware of the issue when it determined the issues to be considered in the proceeding. The Council and other

intervenor wanted to correct this error going forward. The Council and other parties should not be penalized for pursuing an issue that would have a material impact on the constituency they represent.

Yours truly,

Julie E. Girvan

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CC: HON, Regulatory Affairs