



# **DECISION ON COST ELIGIBILITY**

**EB-2021-0106**

**Updating the CDM Guidelines for Electricity Distributors**

**By Delegation, Before:**

**Theodore Antonopoulos**  
Vice President, Applications

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**September 1, 2021**

# 1 OVERVIEW

On August 5, 2021, the OEB released an OEB staff discussion paper, [Updating the Conservation and Demand Management Guidelines for Electricity Distributors](#), setting out a proposed approach regarding the role of conservation and demand management (CDM) for rate-regulated electricity distributors, with the intent to develop updated CDM guidelines to replace the existing [Conservation and Demand Management Requirement Guidelines for Electricity Distributors](#).

The OEB issued a [letter](#) accompanying the OEB staff discussion paper that invited written comments from interested parties. The OEB requested parties interested in submitting comments and participating in this proceeding to file a letter of intent with the OEB, including an indication of whether the participant is requesting cost eligibility, and the grounds for cost eligibility.

The following parties requested to participate in this proceeding (\* denotes a request for cost eligibility):

- Alectra Utilities Corporation<sup>1</sup>
- The Atmospheric Fund
- Building Owners and Managers Association (BOMA) \*
- Consumers Council of Canada (CCC) \*
- Electricity Distributors Association
- Elexicon Energy Inc.
- Entegrus Powerlines Inc.
- Environmental Defence \*
- ENWIN Utilities Ltd.
- Hydro One Networks Inc.
- Hydro Ottawa Limited
- Independent Electricity System Operator
- London Property Management Association (LPMA) \*
- Low-Income Energy Network (LIEN) \*
- Ontario Energy Association
- Ontario Sustainable Energy Association (OSEA) \*
- Pollution Probe \*
- School Energy Coalition (SEC) \*

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<sup>1</sup> Alectra, Elexicon, and Toronto Hydro indicated that they may submit comments individually and/or as members of the Coalition of Large Distributors.

- Toronto-Hydro Electric System Limited
- Vulnerable Energy Consumer Coalition (VECC) \*

The OEB indicated that costs awarded in this proceeding will be recovered from rate-regulated electricity distributors based on their respective customer numbers, and provided an opportunity for electricity distributors to file an objection to any of the requests for cost eligibility, by August 26, 2021. No objections were filed.

This cost eligibility Decision is being issued by delegated authority under section 6 of the *Ontario Energy Board Act, 1998*.

## 2 OEB FINDINGS

All parties that filed letters of intent with the OEB have been placed on the list of participants for this consultation, attached as Schedule A to this Decision.

All parties that requested cost eligibility (BOMA, CCC, Environmental Defence, LPMA, LIEN, OSEA, Pollution Probe, SEC and VECC) are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

As indicated in the OEB's August 5, 2021 letter, the OEB will make up to 10 hours per eligible participant for comments regarding the OEB staff discussion paper eligible for cost awards.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. A Notice of Hearing for Cost Awards will be issued at a later date. The OEB will apply the principles set out in section 5 of its *Practice Direction on Cost Awards* when awarding costs. The maximum hourly rates set out in the OEB's Cost Awards Tariff will be applied. The OEB expects that groups representing the same interests or class of persons will make every effort to communicate and coordinate their participation in this process.

Per the OEB's August 5, 2021 letter, written comments on the OEB staff discussion paper and proposed updates to the CDM guidelines from all participants must be filed with the OEB by **September 16, 2021**, in accordance with the filing instructions set out below.

### Filing Instructions

Parties are responsible for ensuring that any documents they file with the OEB **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's *Rules of Practice and Procedure*.

Please quote the file number, **EB-2021-0106** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the OEB's [online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [Filing Systems page](#) on the OEB's website

- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Michael Parkes at [michael.parkes@oeb.ca](mailto:michael.parkes@oeb.ca) and OEB Counsel, Michael Millar at [michael.millar@oeb.ca](mailto:michael.millar@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto September 1, 2021

**ONTARIO ENERGY BOARD**

*Original Signed By*

Christine E. Long  
Registrar

**SCHEDULE A**  
**DECISION ON COST ELIGIBILITY**  
**UPDATING THE CDM GUIDELINES FOR ELECTRICITY**  
**DISTRIBUTORS**  
**EB-2021-0106**  
**SEPTEMBER 1, 2021**

**Ontario Energy Board  
EB-2021-0106**

**APPLICANT & LIST OF PARTICIPANTS**

September 1, 2021

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**Ontario Energy Board**

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