



BY E-MAIL

August 10, 2022

**To: All Licensed Electricity Distributors
All Other Interested Parties**

**Re: Notice of Hearing for Cost Awards
Proposed Amendments to the Distribution System Code
OEB File No.: [EB-2021-0117](#)**

The Ontario Energy Board (OEB) is giving notice that eligible participants are invited to submit cost claims for eligible activities in relation to the Proposed Amendments to the Distribution System Code, EB-2021-0117, from August 5, 2021 to January 24, 2022.

Background

On August 5, 2021¹ and December 20, 2021², the OEB issued notices (collectively The Notices) under section 70.2 of the *Ontario Energy Board Act, 1998* (Act) of proposed amendments to the Distribution System Code (DSC). These proposed amendments were intended to reduce the overall timeline and provide clarity and consistency in the process for connecting a distributed energy resource (DER) to an electricity distributor's system, and they followed a policy consultation (EB-2019-0207) that involved the review of the OEB's requirements regarding the connection of DERs. The final versions of the amendments to the DSC were issued March 22, 2022 and will come into force on October 1, 2022. The Notices indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998*, and that the OEB has determined licensed rate-regulated electricity distributors will pay the costs.

The OEB issued a Decision on Cost Eligibility on September 3, 2021 (The Decision) that determined the following parties were eligible for cost awards³:

- Association of Major Power Consumers in Ontario
- Anwaatin
- Building Owners and Managers Association
- Canadian Manufacturers & Exporters
- Consumers Council of Canada
- Energy Probe Research Foundation
- Environmental Defense

¹ The [Notice of Proposal](#) to Amend the Distribution System Code

² The [Notice of Revised Proposal](#) to Amend the Distribution System Code

³ The [Decision on Cost Eligibility](#) is available on the OEB website

- London Property Management Association
- Ontario Chamber of Commerce
- Pollution Probe
- School Energy Coalition

The Notices advised that cost awards would be available in relation to providing comments on the proposed DSC amendments to a maximum of 15 hours.

In the Notices, the OEB requested that participants with similar viewpoints coordinate their activities in order to reduce costs, and that this effort will be taken into account during the decision on awards of costs.

The maximum numbers of hours and eligible activities are outlined in Appendix A of this Notice of Hearing.

Notice of Hearing

The OEB is initiating a hearing on its own motion to determine the cost awards to eligible participants in the DER Connections Review DSC Amendment consultation activities from August 5, 2021 to January 24, 2022. The decision on costs will be made by an OEB staff member with delegated authority under section 6 of the *Ontario Energy Board Act, 1998*. The hearing will follow the process set out below.

1. Eligible participants shall submit their cost claims by **August 17, 2022**. The cost claim must be filed with the OEB and one copy is to be served on each licensed electricity distributor. The cost claims must be completed in accordance with section 10 of the OEB's [Practice Direction on Cost Awards](#) (Practice Direction).
2. Licensed electricity distributors will have until **August 22, 2022** to object to any aspect of the costs claimed. The objection must be filed with the OEB and one copy must be served on the eligible participant against whose claim the objection is being made.
3. The eligible participant whose cost claim was objected to will have until **August 25, 2022** to file its reply submission, if any, with the OEB, with a copy of the reply submission to be served on the objecting party.
4. The OEB will then issue its decision on cost awards.

The OEB will use the process set out in section 12 of the Practice Direction to implement the payment of the cost awards. The OEB will therefore act as a clearing house for all payments of cost awards in this process.

How to File Materials

Stakeholders 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 file number, **EB-2021-0117** 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 [File documents online page](#) on the OEB's website.
- Stakeholders 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 for assistance.
- Cost claims are now filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

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, Jason Craig at Jason.Craig@oeb.ca and OEB Counsel, James Sidlofsky at James.Sidlofsky@oeb.ca.

Email: registrar@oeb.ca

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

If you do not participate in the hearing by filing materials in accordance with this Notice, the OEB may proceed without your participation and you will not be entitled to further notice in this proceeding.

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance

Attachments – Appendix A

Notice of Hearing for Cost Awards - Dated August 10, 2022

Proposed Amendments to the Distribution System Code OEB

(EB-2021-0117)

**Appendix A: Consultation Activities for Which Cost Claims may be Filed and
Maximum Number of Hours**

No.	Activity Eligible for Cost Awards	Date of the Notice	Eligible	Maximum Number of Hours
1	Comments	August 5, 2021	10.0	10.0
2	Comments	December 20, 2021	5.0	5.0