



Ontario  
Energy  
Board | Commission  
de l'énergie  
de l'Ontario

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# DECISION AND ORDER ON COST AWARDS

## EB-2022-0013

### ALECTRA UTILITIES CORPORATION

Application for rates and other charges to be effective January 1,  
2023

**BEFORE:** **Allison Duff**  
Presiding Commissioner

**Michael Janigan**  
Commissioner

**Anthony Zlahtic**  
Commissioner

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January 31, 2023

## OVERVIEW

Alectra Utilities Corporation (Alectra Utilities) filed an application with the Ontario Energy Board (OEB) on May 18, 2022, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for Incremental Capital Module funding for certain underground cable renewal projects, effective January 1, 2023.

The OEB granted the Association of Major Power Consumers in Ontario (AMPCO), Building Owners and Managers Association (BOMA), Consumers Council of Canada (CCC), Coalition of Concerned Manufacturers and Business of Canada (CCMBC), Distributed Resource Coalition (DRC), Environmental Defence, Power Workers' Union (PWU), School Energy Coalition (SEC), Small Business Utility Alliance (SBUA) and Vulnerable Energy Consumers Coalition (VECC) intervenor status, and all besides PWU cost award eligibility.

On November 17, 2022, the OEB issued its Decision and Order in which it set out the process for cost claims.

The OEB received cost claims from AMPCO, BOMA, CCC, CCMBC, DRC, Environmental Defence, SEC, SBUA and VECC. On January 9, 2023, Alectra Utilities stated that it did not receive any written submissions from BOMA and proposed that the OEB review BOMA's costs related to written submissions.

On January 13, 2023, BOMA stated that the 4.0 hours in its cost claim related to written submissions were entered in error and should have been entered as 1.5 hours of "Review Application and Evidence" and 2.5 hours of "Communication With Client" as illustrated in the invoice from Enerlife.

The OEB has reviewed the cost claims to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB denies 1.5 hours claimed by BOMA. The OEB approves the claimed hours for preparation of interrogatories and initial client-related briefings. However, as BOMA did not file a submission in the proceeding, time spent by BOMA's representatives after interrogatories provided no value to the OEB panel in assessing the application. The OEB finds that the cost claims of AMPCO, CCC, CCMBC, DRC, Environmental Defence, SEC, SBUA and VECC are reasonable and shall be reimbursed by Alectra Utilities.

**THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Alectra Utilities Corporation shall immediately pay the following amounts to the intervenors for their costs:

• Association of Major Power Consumers in Ontario	\$12,585.39
• Building Owners and Managers Association	\$1,957.73
• Consumers Council of Canada	\$5,593.50
• Coalition of Concerned Manufacturers and Business of Canada	\$10,814.10
• Distributed Resource Coalition	\$11,016.37
• Environmental Defence	\$3,055.52
• School Energy Coalition	\$11,712.45
• Small Business Utility Alliance	\$3,706.98
• Vulnerable Energy Consumers Coalition	\$9,861.31

**DATED** at Toronto January 31, 2023

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar