



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

DECISION AND ORDER ON COST AWARDS

EB-2021-0110

HYDRO ONE NETWORKS INC.

**Application for electricity transmission and distribution rates and
other charges for the period January 1, 2023 to December 31, 2027**

BEFORE: Emad Elsayed
Presiding Commissioner

Patrick Moran
Commissioner

Pankaj Sardana
Commissioner

February 28, 2023

OVERVIEW

Hydro One Networks Inc. (Hydro One) filed an application dated August 5, 2021, with the Ontario Energy Board (OEB), seeking approval for changes to the rates that it charges for electricity transmission and distribution, beginning January 1, 2023 and for each following year through to December 31, 2027.

The OEB granted the following parties intervenor status and cost award eligibility:

- Anwaatin Inc. (Anwaatin)
- Association of Major Power Consumers in Ontario (AMPCO)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Distributed Resource Coalition (DRC)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- London Property Management Association (LPMA)
- Michipicoten First Nation (MFN)
- Ontario Federation of Agriculture (OFA)
- Ontario Sustainable Energy Association (OSEA)
- Pollution Probe
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On July 11, 2022, the OEB issued a Decision and Order on Interim Cost Awards (Decision on Interim Costs). The Decision on Interim Costs ordered Hydro One to pay out the following awarded interim costs subject to certain conditions regarding the final cost awards:

• Anwaatin Inc.	\$26,427.31
• Association of Major Power Consumers in Ontario	\$103,200.08
• Canadian Manufacturers & Exporters	\$20,144.51
• Consumers Council of Canada	\$49,968.60
• Distributed Resource Coalition	\$22,031.61
• Energy Probe Research Foundation	\$63,436.72
• London Property Management Association	\$54,965.46
• Ontario Sustainable Energy Association	\$19,258.04
• Pollution Probe	\$62,740.43
• School Energy Coalition	\$124,558.77
• Vulnerable Energy Consumers Coalition	\$91,152.76

On November 29, 2022, the OEB issued its Decision on Settlement Proposal and Order on Rates, Revenue Requirement and Charge Determinants in which it set out the process for intervenors to file their final cost claims. On December 22, 2022, the OEB issued Procedural Order No. 8 which updated some of the due dates related to this process.

The OEB received total cost claims from Anwaatin, AMPCO, CME, CCC, DRC, Energy Probe, Environmental Defence, LPMA, MFN, OSEA, Pollution Probe, QMA, SEC and VECC. OFA did not file a cost claim.

The total claims requested are as follows:

• Anwaatin Inc.	\$37,353.28
• Association of Major Power Consumers in Ontario	\$139,837.54
• Canadian Manufacturers & Exporters	\$44,769.47
• Consumers Council of Canada	\$82,038.00
• Distributed Resource Coalition	\$31,475.02
• Energy Probe Research Foundation	\$85,226.63
• Environmental Defence	\$26,321.09
• London Property Management Association	\$80,956.59
• Michipicoten First Nation	\$38,511.00
• Ontario Sustainable Energy Association	\$37,367.99
• Pollution Probe	\$100,216.90
• Quinte Manufacturers Association	\$8,856.39
• School Energy Coalition	\$198,155.68
• Vulnerable Energy Consumers Coalition	\$122,022.96

On January 12, 2023, Hydro One filed a letter with the OEB stating that it did not object to any of the claimed costs filed by intervenors in this proceeding.

Findings

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

The OEB approves all cost claims as filed except for that of SEC. SEC's total cost claim is reduced from \$198,155.68 to \$170,000.00, inclusive of HST.

The OEB has carefully reviewed the SEC cost claim, and the letter filed by SEC's counsel in support of the claim. The OEB does not doubt that SEC played a lead role in various aspects of the proceeding, and appreciates SEC's efforts in coordinating a large

group of intervenors with diverse interests and in negotiating and documenting a complete settlement in this complex matter. There is no question that SEC's participation in this proceeding has assisted the OEB.

However, while the OEB acknowledges SEC's valuable participation, the SEC cost claim appears excessive. It is the highest among all intervenors. It is 40% higher than the next highest cost claim (AMPCO) and the claimed number of hours is almost double those claimed by the next highest intervenor (AMPCO). Even with this reduction, SEC still has the highest cost award among all intervenors, and the OEB believes that this remains appropriate in recognition of the lead role SEC played in the parties' achievement of a complete settlement in this proceeding.

THE ONTARIO ENERGY BOARD ORDERS THAT:

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

• Anwaatin Inc.	\$10,925.97
• Association of Major Power Consumers in Ontario	\$36,637.46
• Canadian Manufacturers & Exporters	\$24,624.96
• Consumers Council of Canada	\$32,069.40
• Distributed Resource Coalition	\$9,443.41
• Energy Probe Research Foundation	\$21,789.91
• Environmental Defence	\$26,321.09
• London Property Management Association	\$25,991.13
• Michipicoten First Nation	\$38,511.00
• Ontario Sustainable Energy Association	\$18,109.95
• Pollution Probe	\$37,476.47
• Quinte Manufacturers Association	\$8,856.39
• School Energy Coalition	\$45,441.23
• Vulnerable Energy Consumers Coalition	\$30,870.20

DATED at Toronto February 28, 2023

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar