



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

BY EMAIL

March 23, 2023

**To: All Regulated Entities
All Intervenors
All Other Interested Parties**

**Re: Adoption of Amendments to Rule 22 of the Rules of Practice and Procedure,
New Intervenor Forms and Related Revisions to the Practice Direction on
Cost Awards**

As a next step in enhancing the efficiency and effectiveness of our adjudicative processes, the Ontario Energy Board (OEB) has today posted the following regulatory instruments that together complete two of the near-term projects set out in our [Action Plan](#) for the *Framework for Review of Intervenor Processes and Cost Awards*:

- Amendments to Rule 22 of the [Rules of Practice and Procedure](#)
- Certain amendments to the [Practice Direction on Cost Awards](#) that are consequential to the amendments to Rule 22
- New web-based [Intervenor](#) and [Frequent Intervenor](#) Forms (Forms) that include updated information requirements

A new Intervention Process Guidance Document that describes the intervention process and provides guidance on completing the new Intervenor Form has also been posted.

Developed with input from the OEB's [Adjudicative Modernization Committee](#), and informed by experience in hearings, the amendments to the *Rules of Practice and Procedure* and the *Practice Direction on Cost Awards* and the new Forms are **effective for applications filed on or after April 1, 2023**.

Background

On March 31, 2022, the OEB issued a [letter](#) to stakeholders seeking feedback on the [Framework for Intervenor Processes and Cost Awards](#) (Framework). On September 22, 2022, the OEB issued a report that set out an [Action Plan in Response to Stakeholder Comments on the Framework](#). Near-term Projects 1 and 2 in the report were, respectively, to:

- Clarify the meaning of substantial interest through revisions to the Rules of Practice and Procedure or guidance documentation, or both, and examine the need to develop a standard form that will be filled out by prospective intervenors that will accompany (or possibly replace) their intervention letter
- Update filing requirements for information to be filed by persons applying for intervenor status. Provide guidance on what constitutes a frequent intervenor and the purpose of annual filings.

Overview of Updated Regulatory Instruments

The regulatory instruments issued today provide greater clarity on the OEB's expectations regarding information to be filed in support of intervention requests and on the OEB's assessment of substantial interest for the purposes of making determinations on those requests.

The new web-based Intervenor Form is designed to elicit relevant information in a standardized form to support timely decision-making on interventions and cost award eligibility. The new web-based Frequent Intervenor Form standardizes the information required of frequent intervenors – defined as those that have intervened in 3 or more adjudicative proceedings over the preceding 12 months – and will facilitate the filing of the Intervenor Form by those intervenors. The new Intervention Process Guidance Document will assist interested parties, particularly those that may be less familiar with the OEB's intervention process, in completing the new Intervenor Form.

Updates to the *Practice Direction on Cost Awards* keep pace with the changes to Rule 22 of the *Rules of Practice and Procedure*. Further changes to the *Practice Direction on Cost Awards* are being considered as part of the Medium-term Project to develop guidance on cost award matters.

Training Session

The OEB will host a virtual training session to provide stakeholders with an overview of the process for filing an intervention request and a walk through of the new web-based Intervenor Form:

April 12, 2023
9:00 a.m. to 10:30 a.m.

Those interested in participating should send an email to that effect to Registrar@oeb.ca by **March 31, 2023**, with “Intervenor Form Training” in the subject line. A meeting invitation will be sent directly to those that have indicated an interest in participating.

I look forward to working with the industry and other stakeholders as we move forward with other initiatives on our Action Plan.

Any questions relating to this letter should be directed to Registrar@oeb.ca. The Board’s toll-free number is 1-888-632-6273.

Yours truly,

A handwritten signature in black ink, appearing to read "Lynne Anderson", with a long horizontal flourish extending to the right.

Lynne Anderson
Chief Commissioner