



**BY E-MAIL**

April 13, 2023

**To: All Licensed Electricity Distributors  
All Other Interested Parties  
All Cost Eligible Working Group Members**

**Re: Notice of Hearing for Cost Awards  
Distributed Energy Resources (DER) Connections Review  
File No.: [EB-2019-0207](#)**

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The Ontario Energy Board (OEB) is giving notice that eligible participants in the Distributed Energy Resources (DER) Connections Review consultation, OEB file no. EB-2019-0207, are invited to submit cost claims for eligible activities as follows:

- a) Participation in the DER Connections Working Group for the period from July 4, 2022 to January 26, 2023 and,
- b) Providing written comments on the proposed amendments to the Distribution System Code (DSC) issued on January 5, 2023.

### **Background**

On August 13, 2019, the OEB issued a [letter](#) commencing an initiative to review its requirements in regard to the connection of distributed energy resources (DERs) by licensed electricity distributors (DER Connections Review). The letter indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998* (OEB Act) and that the OEB has determined licensed rate-regulated electricity distributors will pay the costs.

The OEB issued Decisions on September 10, 2019, September 13, 2019, September 23, 2019 and January 13, 2020 that determined the following participants in this consultation process were eligible for cost awards (eligible participants):

- Association of Major Power Consumers in Ontario (AMPCO)
- Building Owners and Managers Association (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence (ED)
- London Property Management Association (LPMA)
- Ontario Chamber of Commerce (OCC)
- Pollution Probe
- School Energy Coalition (SEC)

The Decisions noted that cost awards would be available in relation to participation in the Working Group. In the Decisions, the OEB requested that participants with similar viewpoints coordinate their activities to reduce costs and advised that this effort will be taken into account during the decision on awards of costs.

The OEB has issued four previous Decisions and Orders on Cost Awards in this proceeding as follows:

- a) June 25, 2020 Decision and Order in relation to DER Connections Review activities from August 1, 2019 to March 31, 2020;
- b) April 29, 2021 Decision and Order on Cost Awards for DER Connections Review activities from August 1, 2019 to March 31, 2020 (the April 2021 Decision & Order);
- c) March 25, 2022 Decision and Order in relation to DER Connections Review activities from March 2, 2021 to February 2, 2022.
- d) September 28, 2022 Decision and Order in relation to DER Connections Review activities from February 3, 2022 to June 30, 2022.

The maximum number of cost-eligible hours per participant to prepare for, attend and report on Working Group and Sub-Group Meetings was limited to 1.5 times (or 2 times where one consultant was acting on behalf of two separate organizations) the meeting times. The meetings and corresponding times are outlined in Appendix A of this Notice.

In addition, on January 5, 2023 the OEB issued a [Notice of Proposal to Amend the DSC](#) and stakeholders including cost eligible participants were invited to comment. In that Notice, the OEB advised that cost awards would be available in relation to providing comments on the proposed DSC amendments in Appendix A to the Notice, to a maximum of 4 hours.

### **Notice of Hearing**

The OEB is initiating a hearing on its own motion to determine the cost awards to eligible participants for the following eligible activities:

- a) Participation in the DER Connections Working Group for the period from July 4, 2022 to January 26, 2023; and
- b) Providing written comments on the proposed amendments to the DSC issued on January 5, 2023.

The decision on costs will be made by an OEB staff member with delegated authority under section 6 of the OEB Act. The hearing will follow the process set out below.

1. Eligible participants that intend to seek a cost award shall submit their cost claims by **April 27, 2023**. 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 **May 4, 2023** 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 **May 13, 2023** 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-2019-0207** 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](mailto: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](mailto:Jason.Craig@oeb.ca) and OEB Counsel, James Sidlofsky at [James.Sidlofsky@oeb.ca](mailto:James.Sidlofsky@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)  
Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto, April 13, 2023

**ONTARIO ENERGY BOARD**

Brian Hewson  
Vice President, Consumer Protection & Industry Performance

Attachments – Appendix A

## Appendix A – Cost-Eligible Activities and Hours

### Distributed Energy Resources (DER) Connections Review File No.: [EB-2019-0207](#)

Item #	Activity	Date	Hours	Max Hours	Max Hours (if Representing 2 Eligible Participants)
1	DER Connections Review – Technical Subgroup – Tranche 4	26-Jul-22	2.50	3.75	5.00
2	DER Connections Review – Process Subgroup – Tranche 4	28-Jul-22	2.50	3.75	5.00
3	DER Connections Review – Process Subgroup – Tranche 4	3-Aug-22	3.00	4.50	6.00
4	DER Connections Review – Working Group – Tranche 4	22-Aug-22	3.00	4.50	6.00
5	DER Connections Review – Technical Subgroup – Tranche 4	23-Aug-22	2.00	3.00	4.00
6	DER Connections Review – Process Subgroup – Tranche 4	25-Aug-22	3.00	4.50	6.00
7	DER Connections Review – Technical Subgroup – Tranche 4	27-Sep-22	2.00	3.00	4.00
8	DER Connections Review - Process Subgroup - Tranche 4	29-Sep-22	1.50	2.25	3.00
9	DER Connections Review – Working Group – Tranche 4	4-Oct-22	2.33	3.50	4.66
10	DER Connections Review - Process Subgroup - Tranche 4	27-Oct-22	1.50	2.25	3.00
11	DER Connections Review - Technical Subgroup - Tranche 4	22-Nov-22	2.00	3.00	4.00
12	Comments on Proposal to Amend DSC	5-Jan-23	4.00	6.00	8.00
13	DER Connections Review – Process Subgroup – Tranche 4	16-Jan-23	1.50	2.25	3.00
14	DER Connections Review - Technical Subgroup - Tranche 4	18-Jan-23	1.50	2.25	3.00