



Ontario
Energy
Board | Commission
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BY EMAIL AND WEB POSTING

May 9, 2023

**To: All Licensed Electricity Distributors
All Participants in the EB-2022-0079**

**Re: Notice of Hearing for Cost Awards
Consultation (Dynamic Pricing Pilot for Non-RPP Class B Electricity
Consumers)**

This notice invites eligible participants in the Dynamic Pricing Pilot for Non-RPP Class B Electricity Consumers consultation to submit cost claims for eligible activities that took place between July 13, 2022, and September 1, 2022.

Background

In his November 15, 2021 [mandate letter](#) to the OEB, the Minister of Energy asked the OEB to work with the Independent Electricity System Operator (IESO) to develop a plan to design and implement a dynamic pricing pilot and assess the benefits for Non-RPP Class B customers. In response, The OEB worked with the IESO to develop a high-level plan for a Non-RPP Class B dynamic pricing pilot program (Non-RPP Class B Pilot Program) a summary of which was posted on the [OEB's Engage with Us website](#).

On July 13, 2022, the OEB issued a [letter](#) (Invitation Letter) inviting interested parties to a stakeholder meeting on July 28, 2022 to discuss the development of a dynamic pricing pilot program for Non-RPP Class B consumers. Interested parties were also invited to submit written comments on the pilot program by September 1, 2022. The letter indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (OEB Act), and made provision for stakeholders to apply for cost award eligibility.

In the Invitation Letter, the OEB identified that costs would be recovered from all rate-regulated licensed electricity distributors and apportioned amongst them based on customer numbers.

The following organizations are eligible for an award of costs¹ in relation to cost eligible activities (collectively the Eligible Participants):

- Canadian Manufacturers & Exporters (CME)
- Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC)
- Ontario Association of Physical Plant Administrators (OAPPA)
- Ontario Chamber of Commerce (OCC)
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)

Of the cost eligible parties listed above, all 6 attended the July 28th stakeholder meeting and Canadian Manufacturers and Exporters, Ontario Association of Physical Plant Administrators, and Quinte Manufacturers Association submitted written comments.

Eligible Activities

The maximum hours for cost eligible activities² are set out in the Appendix to this Notice.

Notice of Hearing

The OEB is initiating a hearing on its own motion to determine the cost awards to participants in this consultation identified above that are eligible for costs. The decision on costs will be made by a delegated decision-maker pursuant to section 6 of the *Ontario Energy Board Act, 1998*. The hearing will follow the process set out below.

1. Cost Award eligible participants shall submit their cost claims by **May 23, 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](#).
2. Licensed electricity distributors will have until **June 2, 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 **June 9, 2023** to file a reply submission with the OEB as to why its cost claim should be allowed. One copy of the reply submission is to be served on the objecting party.
4. The OEB will then issue its decision on cost awards.

¹ As decided in EB-2022-0079 Decision on Cost Eligibility Dynamic Pricing Pilot for Non-RPP Class B Electricity Consumers (July 25, 2022)

² Cost eligible activities are described in the Invitation Letter.

The OEB will use the process set out in section 12 of its [Practice Direction on Cost Awards](#) 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

Parties 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-2022-0079** for all materials filed and kindly 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, fax 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 www.oeb.ca/industry.
- Stakeholders are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the web portal can contact registrar@oeb.ca for assistance.

All communications regarding cost award matters should be directed to the attention of the Registrar and be received at the address below by end of business on the required date.

Email: registrar@oeb.ca
Tel: 1-888-632-6273 (Toll-free)

Dated at Toronto, **May 9, 2023**

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance

Attachment: Appendix A

Notice of Hearing for Cost Awards - Dated May 9, 2023

**Consultation (Dynamic Pricing Pilot for Non-RPP Class B Electricity Consumers)
(EB-2022-0079)**

Appendix A: Activities for which Cost Claims may be filed

No.	Activity Eligible for Cost Awards	Date of the Meeting/Filing	Eligible	Maximum Number of Hours
1.	Stakeholder meeting (preparation, attendance, and reporting)	July 28, 2022	Meeting time x 1.5	3
2.	Written comments	August 25, 2022	6 Hours	6