



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

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# **DECISION AND ORDER ON COST AWARDS**

## **EB-2023-0098**

### **ONTARIO POWER GENERATION INC.**

**Application for**

**BEFORE:** **Pankaj Sardana**  
Presiding Commissioner

**Michael Janigan**  
Commissioner

**David Sword**  
Commissioner

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**August 28, 2023**

## OVERVIEW

Ontario Power Generation Inc. (OPG) filed an application with the Ontario Energy Board (OEB) on March 1, 2023, under section 78.1 of the *Ontario Energy Board Act, 1998* seeking approval to establish a variance account to record the nuclear revenue requirement impacts resulting from the overturning of Bill 124<sup>1</sup>, effective March 1, 2023, until the effective date of the OEB's next nuclear payment amounts order. The variance account would record the difference between the forecast compensation costs included in OPG's last nuclear payment amounts order and the compensation costs for the nuclear facilities resulting from the overturning of Bill 124.

On March 22, 2023, the OEB issued its Notice and Procedural Order No. 1 (Notice & PO 1), which among other things, adopted the intervenors from the 2022-2026 Payment Amounts proceeding, including cost award eligibility. The adopted intervenors were to notify the OEB of their intention to participate in the proceeding.

The OEB's Decision and Order issued on June 27, 2023, set out the cost claim process for cost-eligible intervenors. Cost claims were to be filed by July 4, 2023.

The OEB received cost claims from the Association of Major Power Consumers in Ontario (APPRO), Canadian Manufacturers & Exporters (CME), Consumers Council of Canada (CCC) and School Energy Coalition (SEC). On July 4, 2023, VECC requested a two-week extension to the filing date due to summer holiday conflicts and the closing of the Public Interest Advocacy Centre office. By letter dated July 4, 2023, the OEB granted VECC an extension to file a cost claim.

No objections to the cost claims were received from OPG.

## 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 finds that the cost claims are reasonable and shall be reimbursed by OPG.

## THE ONTARIO ENERGY BOARD ORDERS THAT:

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

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<sup>1</sup> Protecting a Sustainable Public Sector for Future Generations Act, 2019

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• Association of Major Power Consumers of Ontario	\$5,313.84
• Canadian Manufacturers & Exporters	\$4,886.12
• Consumers Council of Canada	\$2,423.85
• School Energy Coalition	\$6,546.09
• Vulnerable Energy Consumers Coalition	\$6,517.05

**DATED** at Toronto August 28, 2023

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar