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**Commission de l'énergie
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BY E-MAIL AND WEB POSTING

May 15, 2008

**To: All Licensed Electricity Distributors
All Licensed Electricity Transmitters
Building Owners and Managers Association of Greater Toronto
Consumers Council of Canada
Electrical Contractors Association of Ontario
Energy Probe Research Foundation
HVAC Coalition
London Property Management Association
Pollution Probe
School Energy Coalition
Vulnerable Energy Consumers Coalition**

**Re: Notice of Hearing for Cost Awards
Affiliate Relationships Code for Electricity Distributors and Transmitters:
Notice and Comment on Proposed Amendments
Board File No.: EB-2007-0662**

Background

On September 19, 2007, the Ontario Energy Board (the "Board") issued a Notice of Proposal (the "September Notice") to amend the Board's *Affiliate Relationships Code for Electricity Distributors and Transmitters* (the "Electricity ARC"). In the September Notice, the Board notified interested parties that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (the "Act") in relation to their participation in this consultation process, and that any costs awarded would be recovered from all licensed electricity distributors and licensed electricity transmitters. Attachment D to the September Notice indicated that the Board would use the process set out in section 12 of the Board's *Practice Direction on Cost Awards* and act as a clearing house for all payments of cost awards. It also identified that cost awards would be available to a **maximum of 30 hours** in relation to the provision of written comments on the proposed amendments.

On February 11, 2008, the Board issued a Notice of Revised Proposal (the "February Notice") regarding revised proposed amendments to the Electricity ARC. In the February Notice, the Board indicated that cost awards would be available to a **maximum of 20 hours** in relation to the provision of written comments on the revised proposed amendments.

The notice and comment process that is the subject of this Notice of Hearing was initiated following a consultation process in relation to a staff Research Paper on the Electricity ARC. In the September Notice, the Board indicated that interested parties that had been determined to be eligible for an award of costs for purposes of the consultation on the staff Research Paper pursuant to the Board's July 10, 2007 Decision on Cost Eligibility would automatically be considered eligible for costs in relation to the notice and comment process. In accordance with the Board's July 10, 2007 Decision on Cost Eligibility, the following participants were found to be eligible for an award of costs: the Building Owners and Managers Association of Greater Toronto; the Consumers Council of Canada; the Electrical Contractors Association of Ontario; Energy Probe Research Foundation; HVAC Coalition; London Property Management Association; Pollution Probe; School Energy Coalition; and the Vulnerable Energy Consumers Coalition (collectively, the "eligible parties").

This Notice of Hearing applies only to cost awards in relation to participation in the notice and comment process associated with proposed amendments to the Electricity ARC. A separate Notice of Hearing is being issued for cost awards in relation to the provision of written comments on the staff Research Paper.

Notice of Hearing

The Board is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the Act in relation to participation in the notice and comment process associated with proposed amendments to the Electricity ARC. The file number for this hearing is EB-2007-0662.

The Board intends to proceed by way of written hearing unless a party can satisfy the Board that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the Board no later than **7 days** after the date of this Notice.

Assuming that the Board does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. The eligible parties shall submit their cost claims by **June 5, 2008**. A copy of the cost claim must be filed with the Board and one copy is to be served on each licensed distributor and each licensed transmitter. The cost claims must be completed in accordance with section 10 the Board's *Practice Direction on Cost Awards*. Eligible parties are reminded that the amendments to the tariff for legal counsel and consultants that were adopted by the Board in the fall of 2007 apply only to work done on or after November 16, 2007. Cost claims for work done prior to November 16, 2007 must be based on the tariff as it existed prior to that date.
2. Distributors and transmitters will have until **June 19, 2008** to object to any aspect of the costs claimed. A copy of the objection must be filed with the Board and one copy must be served on the eligible party against whose claim the objection is being made.
3. The eligible party whose cost claim was objected to will have until **June 26, 2008** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the Board and one copy is to be served on the objecting distributor or transmitter.
4. The Board will then issue its decision on cost awards. The Board's costs may also be addressed in the cost awards decision.

Service of cost claims, objections and reply submissions on other parties may be effected by courier, registered mail, facsimile or e-mail.

All submissions in this hearing (i.e., cost claims, objections and replies) will form part of the public record. Copies of the submissions will be available for inspection at the Board's office and the submissions may be published on the Board's website.

Parties must file a paper copy and one electronic copy of their submissions. The electronic copy should be in searchable Adobe Acrobat (PDF) or Word, and be filed through the Board's web portal at www.errr.oeb.gov.on.ca. If the Board's web portal is not available, electronic copies of submissions may be submitted on CD or diskette or by e-mail to boardsec@oeb.gov.on.ca. The submissions must quote file number

EB-2007-0662, include your name, address, e-mail address, telephone number, and fax number and be received by the Board Secretary by **4:45 pm** on the required date.

If you do not file a letter objecting to a written hearing or do not participate in the hearing by filing written submissions in accordance with this Notice, the Board may proceed without your participation and you will not be entitled to further notice in this proceeding.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary