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**BY EMAIL AND WEB POSTING**

April 23, 2025

To: All Regulated Entities  
All Interested Parties

**Re: OEB 10-Point Action Plan:  
Implementation Update – Items #3 and #10  
Ontario Energy Board File No. EB-2025-0098**

The Ontario Energy Board (OEB) is pleased to provide an update regarding implementation of its 10-point Action Plan (the Plan), part of its September 2024 Report Back to the Minister on [Intervenors and Regulatory Efficiency](#) (the Report). Both the Plan and Report are aligned with the 2024 Minister's [Letter of Direction](#), which emphasizes regulatory efficiency to enable growth as a priority for the OEB. Specifically, the Plan aims to enhance adjudicative excellence, lower costs for consumers and reduce regulatory burden.

In addition to implementing the Plan, the OEB will continue to identify practices that ensure intervenor participation is cost effective, efficient and in the public interest.

The OEB is currently advancing the implementation of two of the Plan's 10 initiatives:

- Maintaining Predictable Costs – Updating the Cost Award Schedules
- Categorizing Intervenors by Interests and Developing Approaches for Increasing Collaboration

### **Maintaining Predictable Costs - Updating the Cost Award Schedules (*Item #10*)**

The Report highlighted the need to maintain predictable costs as a key area for action. In response, the OEB conducted a jurisdictional review of the intervenor cost award schedule (the schedule) for legal counsel and consultants, which was last updated in 2007.

Effective **June 1, 2025**, the OEB will adjust the fee schedule for legal counsel and consultants for all new cost claims filed. This adjustment aligns with other jurisdictions and reflects the value provided by intervenors within the current regulatory framework. The OEB has updated its [Practice Direction on Cost Awards](#), which establishes the maximum hourly rates that can be reimbursed.

The OEB will also conduct annual inflationary reviews, and a benchmarking review every five years to ensure the fee schedule remains aligned with industry standards.

### **Categorizing Intervenors by Interests and Developing Approaches for Increasing Collaboration** *(Item #3)*

The OEB plans to establish categories for intervenors that typically have a substantial interest in proceedings. Examples of categories could include intervenors who represent industrial customers, commercial property owners or environmental interests. Intervenors with similar interests will be required to coordinate with each other to enhance regulatory efficiency and avoid duplication in proceedings.

Multiple intervenors can represent the same interest. For example, two industrial intervenors could have a material interest in a utility rate application that is within the scope of the proceeding. However, in cases where multiple intervenors represent the same interest, the Registrar and assigned panel of Commissioners will require them to collaborate to reduce duplication, streamline the adjudicative process, and limit costs. Further details are included in the Appendix to this letter.

#### *Next Steps*

The OEB is seeking feedback on the proposed list of typical intervenor categories (see Appendix), with the understanding that categories will be adjusted based on the type of application.

Stakeholders who wish to provide comments on the categorization of intervenors should submit their comments to [registrar@oeb.ca](mailto:registrar@oeb.ca) by **May 14, 2025**. Emails should include “**EB-2025-0098 – 10-Point Action Plan – Item #3**” in the subject line.

An intervenor category pilot is underway for Enbridge Gas Inc.’s multi-year natural gas demand side (DSM) plan application (EB-2024-0198). Feedback from those intervenors who were asked to collaborate in this proceeding will also be considered at the conclusion of the proceeding.

## Stay Informed

Interested stakeholders are encouraged to visit the Implementing the OEB's 10-point Action Plan [Engage with Us page](#) and sign up to receive future updates.

Any questions relating to this letter should be directed to [registrar@oeb.ca](mailto:registrar@oeb.ca). The Board's toll-free number is 1-888-632-6273.

Yours truly,

Nancy Marconi  
Registrar

# Appendix

# Proposed List of Typical Intervenor Categories

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This document provides examples of how intervenors could be grouped based on cost eligibility and categorized by their interests. Please note that this is not an exhaustive list but rather a preliminary framework intended to enhance efficiency in proceedings. The categories are flexible and will be adjusted as needed on a case-by-case basis to reflect the nature and specifics of each proceeding. The OEB will communicate any groupings by way of a Procedural Order or some other means.

The OEB expects that intervenors asked to work together will:

- Coordinate and combine interrogatories into a single set of questions to avoid duplication. Note that whether a question is being asked by one or all of the grouped parties can be indicated, if desired.
- Coordinate questions at the technical conference and oral hearing by having one representative from the combined group take the lead on questioning for each issue, to the extent possible.
- Coordinate the filing of any expert evidence.

For administrative simplicity when filing combined materials, the OEB may give grouped intervenors a reference name when granting intervention status.

The OEB expects to still allow all parties to file separate final submissions on applications, if desired, and understands that even though parties may represent similar interests, each party's policy positions or suggested approaches for resolving concerns may be different. At the end of a proceeding, intervenors will be expected to report on how they coordinated their efforts, and intervenor cost awards could be limited to the equivalent of one intervenor for each category.

As a reminder, single issue or limited issue intervenors would have cost awards (if any) limited to the intervenor's specific issue(s). For policy-related interests, the OEB will consider the materiality and relevance of the policy matters identified in the intervention request and how this relates to the mandate of their organization in determining the scope of the intervention eligible for cost awards.

The OEB is committed to facilitating greater participation of Indigenous peoples in the regulatory process. The OEB recognizes that the rights and interests of Indigenous peoples are distinct and unique to each Nation.

The OEB will not group directly affected individual landowners together in facilities and related proceedings (such as expropriation applications), although these intervenors may choose to collaborate as groups.

Eligible for cost awards <sup>1</sup>	Examples of Intervenors
<b>Environmental Advocacy Groups</b>	<ul style="list-style-type: none"> <li>• Environmental Defense (ED)</li> <li>• Green Energy Coalition (GEC)</li> <li>• Pollution Probe</li> </ul>
<b>Directly Affected Landowners Associations</b> (intervening in facility and related proceedings)	<ul style="list-style-type: none"> <li>• Canadian Association of Energy and Pipeline Landowner Associations (CAEPLA)</li> <li>• Gas Pipeline Landowners of Ontario (GAPLO)</li> <li>• Lambton County Storage Association (LCSA)</li> </ul>
<b>Landlord and Property Owner Associations</b> (intervening as Ratepayers)	<ul style="list-style-type: none"> <li>• Building Owners and Managers Association (BOMA)</li> <li>• Federation of Rental-Housing Providers of Ontario (FRPO)</li> <li>• London Property Managers Association (LPMA)</li> </ul>
<b>Manufacturers Associations</b>	<ul style="list-style-type: none"> <li>• Canadian Manufacturers and Exporters (CME)</li> <li>• Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC)</li> <li>• Quinte Manufacturers Association (QMA)</li> </ul>
<b>Industrial Consumers Associations</b>	<ul style="list-style-type: none"> <li>• Association of Major Power Consumers in Ontario (AMPCO)</li> <li>• Industrial Gas Users Association (IGUA)</li> <li>• Ontario Greenhouse Vegetable Growers (OGVG)</li> </ul>
<b>Policy-Related Interests</b>	<ul style="list-style-type: none"> <li>• Energy Probe</li> <li>• Ontario Sustainable Energy Association (OSEA)</li> </ul>
<b>Residential and Small Commercial Consumer Associations</b>	<ul style="list-style-type: none"> <li>• Consumers Council of Canada (CCC)</li> </ul>
<b>Universities, Schools and Hospitals Associations</b>	<ul style="list-style-type: none"> <li>• Ontario Association of Physical Plant Administrators (OAPPA)</li> <li>• School Energy Coalition (SEC)</li> </ul>
<b>Vulnerable / Low-Income Consumer Associations</b>	<ul style="list-style-type: none"> <li>• Low Income Energy Network (LIEN)</li> <li>• Vulnerable Energy Consumer Coalition (VECC)</li> </ul>

<sup>1</sup> Some entities on this list may not be eligible if they are representing their commercial interests or those of their members other than as ratepayers or landowners.

Ineligible for cost awards	Examples of Intervenors
<b>Generators<sup>2</sup></b> (intervening as power producers)	<ul style="list-style-type: none"> <li>Atura Power</li> <li>Ontario Power Generation Inc. (OPG)</li> <li>Association of Power Producers of Ontario (APPrO)</li> </ul>
<b>Government</b>	<ul style="list-style-type: none"> <li>Algoma Coalition</li> <li>City of Kitchener</li> <li>City of Ottawa</li> <li>Ministry of Natural Resources</li> </ul>
<b>Individual participants</b> (other than as directly affected landowners)	<ul style="list-style-type: none"> <li>Assessed on a case-by-case basis (honorarium possible if granted intervenor status)</li> </ul>
<b>Unions</b>	<ul style="list-style-type: none"> <li>Canadian Union of Skilled Workers (CUSW)</li> <li>Power Workers Union (PWU)</li> <li>Society of United Professionals (SUP)</li> <li>Unifor</li> </ul>
<b>Utilities</b>	<ul style="list-style-type: none"> <li>ENWIN Utilities Ltd.</li> <li>Enbridge Gas</li> <li>Essex Powerlines Corporation</li> <li>Hydro One</li> <li>Six Nations Natural Gas Company Limited (SNNG)</li> <li>TransCanada Energy (TCE)</li> </ul>
<b>Other regulated entities</b>	<ul style="list-style-type: none"> <li>Independent Electricity System Operator (IESO)</li> <li>Retailers</li> <li>USMPs</li> </ul>

May be eligible for cost awards	Examples of Intervenors
<b>Generators</b> (if intervening as Ratepayers)	<ul style="list-style-type: none"> <li>Association of Power Producers of Ontario (APPrO)</li> </ul>
<b>Natural Gas Producer Associations</b> (if intervening as Ratepayers or representing a policy perspective)	<ul style="list-style-type: none"> <li>Canadian Biogas Association (CBA)</li> <li>Coalition for Renewable Natural Gas (RNG Coalition)</li> <li>Ontario Petroleum Institute (OPI)</li> </ul>

<sup>2</sup> Although these entities are normally ineligible, they may be eligible if they appear in their capacity as ratepayers or customers of the applicant, or if they represent a public interest relevant to the OEB’s mandate (and not simply their own commercial interests).