



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

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# DECISION AND ORDER ON COST AWARDS

**EB-2024-0331**

## NQS GENERATION GROUP

**Application to review of amendments to the market rules made by the  
Independent Electricity System Operator**

**BEFORE:**    **Robert Dodds**  
Presiding Commissioner

**Patrick Moran**  
Commissioner

**Anthony Zlahtic**  
Commissioner

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**May 5, 2025**

## OVERVIEW

This is a decision of the Ontario Energy Board (OEB) on cost claims with respect to an application filed on November 7, 2024 by a group of non-quick start (NQS) gas-fired generators, namely Capital Power Corporation, Thorold CoGen L.P., Portlands Energy Centre L.P. doing business as Atura Power, St. Clair Power L.P., and TransAlta (SC) L.P., (collectively referred to as “NQS Generation Group”). The application requested that the OEB revoke a set of market rule amendments made by the Independent Electricity System Operator (IESO), under s. 33(4) of the *Electricity Act, 1998* and refer them back to the IESO for further consideration.

As required under section 33(6) of the Act, the OEB issued its Decision and Order on March 6, 2025.<sup>1</sup>

In Procedural Order No. 1, the OEB provided for, among other matters, a pre-hearing conference to determine intervenor status and cost award eligibility.<sup>2</sup>

In Decision and Procedural Order No. 2 (PO2), the OEB granted intervenor status to the following organizations: HQ Energy Marketing Inc., Association of Power Producers of Ontario, Consumers Council of Canada (CCC), FirstLight Holdings Inc. and School Energy Coalition (SEC). Cost eligibility was granted to CCC and SEC.

In PO2, the OEB also confirmed the IESO as a party and confirmed the IESO’s agreement to cover the OEB’s costs of the proceeding. Additionally, the OEB found NQS Generation Group to be responsible for its own costs and any costs awarded to CCC and SEC.<sup>3</sup>

In its final Decision and Order of March 6, 2025, the OEB set out, among other things, the process for addressing cost awards.<sup>4</sup> Cost claims were due no later than March 21, 2025.

Cost claims were filed by CCC and SEC.

No objections to the cost claims were received from NQS Generation Group.

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<sup>1</sup> [Section 33\(6\) of the Act](#) requires the OEB to issue an order within 120 days of receiving the Application.

<sup>2</sup> [Procedural Order No. 1](#) dated November 19, 2025.

<sup>3</sup> [Decision and Procedural Order No. 2](#) dated December 2, 2024.

<sup>4</sup> [Decision and Order](#) dated March 6, 2025.

## Findings

The OEB has reviewed the cost claims filed to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards* and finds that the cost claims of CCC and SEC are reasonable and shall be reimbursed by NQS Generation Group.

The OEB is also ordering recovery from IESO of \$135,775.00 for the OEB's costs of and incidental to this proceeding.

## THE ONTARIO ENERGY BOARD ORDERS THAT:

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

• CCC	\$13,927.25
• SEC	\$37,325.03
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, the IESO shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

**DATED** at Toronto May 5, 2025

## ONTARIO ENERGY BOARD

Nancy Marconi  
Registrar