



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION ON COST ELIGIBILITY

EB-2025-0268

Review of the Valuation of Distributed Energy Resources

By Delegation Before: **Brian Hewson**
Vice President,
Consumer Protection & Industry Performance

November 21, 2025

OVERVIEW

On October 27, 2025, the Ontario Energy Board (OEB) issued a [letter](#) commencing its Review of the Valuation of Distributed Energy Resources (Launch Letter). This review aims to assess current Distributed Energy Resource (DER) compensation and costs and recommend changes or provide an update on actions by the OEB regarding the overall regulatory and compensation frameworks to appropriately reflect the system value of DERs. The Launch Letter invited stakeholders to participate in a stakeholder meeting that will be convened on November 24, 2025, as well as to submit written comments. Feedback from the stakeholder meeting will inform a report that the OEB will submit to the Minister of Energy and Mines.

The Launch Letter indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998*, and that any costs awarded would be recovered from all licenced rate-regulated electricity distributors. Appendix A of the Launch Letter directed participants intending to request cost awards to file a written submission to the OEB by November 3, 2025, identifying the grounds on which they are eligible for cost awards. Electricity distributors were given until November 10, 2025, to object to any of the cost eligibility requests prior to the OEB's final determination on the cost eligibility of the requesting participants.

The OEB received ten requests for cost award eligibility from:

- Association of Major Power Consumers in Ontario (AMPCO)
- Consumers Council of Canada (CCC)
- Distributed Resource Coalition (DRC)
- Energy Probe
- Environmental Defence
- Industrial Gas Users Association (IGUA)
- Low-Income Energy Network (LIEN)
- Pollution Probe
- School Energy Coalition (SEC)
- Screaming Power

No objections were received in relation to these requests for cost award eligibility.

OEB FINDINGS

The OEB finds that AMPCO, CCC, the DRC, Energy Probe, Environmental Defence, IGUA, LIEN, Pollution Probe and SEC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards* (Practice Direction).

Regarding IGUA's request for eligibility, while the focus of this consultation is on electricity DERs the OEB accepts that policies on valuation could have broader application. IGUA is therefore determined to be eligible for costs. The OEB notes that there are other proceedings and initiatives, such as the *Review and Evaluation of the Integrated Resource Planning Framework for Enbridge Gas* (EB-2025-0125), where the value of natural gas activities similar to some DERs may be considered. Parties should remain mindful of providing input in the proceeding or initiative that is most directly addressing issues that are of concern to them.

The OEB has determined that Screaming Power is not eligible for an award of costs. The OEB's assessment is guided by the Practice Direction, which states that the burden of establishing eligibility for cost awards is on the stakeholder applying for eligibility.¹ That section goes on to state that a party is eligible to apply for a cost award where the party:

- (a) primarily represents the direct interests of consumers (e.g. ratepayers) in relation to services that are regulated by the Board;
- (b) primarily represents an interest or policy perspective relevant to the Board's mandate and to the proceeding for which cost award eligibility is sought; or
- (c) is a person with an interest in land that is affected by the process.

The OEB is of the view that Screaming Power has not established that it satisfies the section 3.03 criteria of the Practice Direction. In its written submission to request cost eligibility, Screaming Power stated its intention to "represent private industry, innovators and the energy consumer overall". However, Screaming Power is an energy software, services and data consultant company. Based on the information provided, the OEB does not consider Screaming Power to "primarily represent the direct interests of consumers (e.g. ratepayers)".

In addition, one of the factors that the OEB may consider, pursuant to the Practice Direction, is whether an applicant for cost eligibility that is a commercial entity "primarily represents its own commercial interest (other than as a ratepayer), even if the entity may be in the business of providing services that can be said to serve an interest or policy perspective relevant to the Board's mandate and to the proceeding for which cost eligibility is sought" (emphasis added).² The OEB is not persuaded that Screaming Power's participation would not be driven by its own commercial interests. The OEB welcomes Screaming Power's participation in the consultation, however it is not eligible

¹ Practice Direction, section 3.02.

² Practice Direction, section 3.04(b).

for an award of costs. As this consultation initiative is an open process, the OEB welcomes participation from all stakeholders.

The OEB notes that cost award-eligible participants with similar viewpoints should coordinate their activities to reduce duplication and costs. Such efforts will be taken into account by the OEB as part of its decision on an award of costs. Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by an order of the OEB at the end of the process.

Activities for which cost award-eligible participants may claim costs, and the maximum number of hours that can be claimed, are described in Appendix A of the Launch Letter.

DATED at Toronto November 21, 2025

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance