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de l'Ontario  
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**BY E-MAIL AND WEB POSTING**

October 19, 2015

**TO: All Licensed Electricity Retailers  
All Licensed Natural Gas Marketers  
All Licensed Electricity Distributors  
All Natural Gas Distributors  
All Participants in Consultation EB-2014-0158  
All Other Interested Parties**

**RE: Notice of Hearing for Cost Awards  
Consultation on the Effectiveness of Part II of the *Energy Consumer Protection Act, 2010* (OEB File No. EB-2014-0158)**

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## **Background**

The Ontario Energy Board (OEB) initiated a consultation to support the development of a report to the Minister of Energy in response to the Minister's request that the OEB review Part II of the *Energy Consumer Protection Act, 2010* (the ECPA). The consultation included cost awards for eligible persons under section 30 of the *Ontario Energy Board Act, 1998* for participation in certain activities.

With the issuance of [Consumers Come First: A Report of the OEB on the Effectiveness of Part II of the ECPA](#) the OEB concluded this consultation and the cost-eligible activities as set out in Appendix A of this Notice.

## **Cost Award Eligible Participants**

In its [Decision on Cost Eligibility](#) dated August 26, 2014, the OEB determined that the following participants (together, the "eligible participants") were eligible to apply for an award of costs in this consultation process:

- Building Owners and Managers Association of Greater Toronto

- Canadian Manufacturers & Exporters
- Consumers Council of Canada
- London Property Management Association
- Vulnerable Energy Consumers Coalition

### **Notice of Hearing**

The OEB is initiating a hearing on its own motion in order to determine the cost awards to parties identified above as eligible participants.

The OEB intends to proceed by way of written hearing unless a party can satisfy the OEB 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 OEB no later than **7 days** after the date of this Notice. Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Eligible participants shall submit their cost claims by **October 30, 2015**. The cost claim must be filed with the OEB and one copy is to be served on each licensed low-volume electricity retailer, licensed natural gas marketer, rate-regulated licensed electricity distributors, and rate-regulated natural gas distributors. The cost claims must be completed in accordance with section 10 of the OEB's *Practice Direction on Cost Awards*.

### **Eligible Participants must use the customized Cost Claim Form attached as Appendix B to this Notice**

2. Licensed low-volume electricity retailers, licensed natural gas marketers, rate-regulated licensed electricity distributors, and rate-regulated natural gas distributors will have until **November 9, 2015** to object to any aspect of the costs claimed. The objection must be filed with the OEB and one copy must be served on the eligible participant against whose claim the objection is being made.
3. The eligible participant whose cost claim was objected to will have until **November 16, 2015** to file with the OEB a reply submission as to why its cost claim should be allowed. One copy of the reply submission is to be served on the objecting party.

The OEB will then issue its decision on cost awards. The OEB'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.

Parties must file two paper copies and one electronic copy of their filings with the Board Secretary by **4:45 pm** on the required dates. The OEB requests that parties make every effort to provide electronic copies of their filings in searchable / unrestricted Adobe Acrobat (PDF) format, and to submit their filings through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. A user ID is required to submit documents through the OEB's web portal. If you do not have a user ID, please visit the "e-filings services" webpage on the OEB's website at [www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca), and fill out a user ID password request. Additionally, interested parties are requested to follow the document naming conventions and document submission standards outlined in the document entitled "RESS Document Preparation – A Quick Guide" also found on the e-filing services webpage. If the OEB's web portal is not available, electronic copies of filings may be filed by e-mail at [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca). Persons that do not have internet access should provide a CD or USB stick containing their filing in PDF format.

All filings must quote file number **EB-2014-0158** and include your name, address telephone number and, where available, your e-mail address and fax number.

All filings in this hearing (i.e., cost claims, objections, or replies), will form part of the public record. Copies of the filings will be available for inspection at the OEB's office during normal business hours and the filings may be placed on the OEB's website.

If the filing is from a private citizen (i.e., not a lawyer representing a client, not a consultant representing a client or organization, not an individual in an organization that represents the interests of consumers or other groups, and not an individual from a regulated entity), before making the filing available for viewing at the OEB's offices or placing the filing on the OEB's website, the OEB will remove any personal (i.e., not business) contact information from the filing (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the filing may be available for viewing at the OEB's offices and will be placed on the OEB's website.

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

Dated at Toronto, October 19, 2015

**ONTARIO ENERGY BOARD**

A handwritten signature in blue ink, appearing to read 'K. Walli', is written over the printed name.

Kirsten Walli  
Board Secretary

**Notice of Hearing for Cost Awards Dated October 19, 2015  
EB-2014-0158**

**Appendix A**

**Consultation Activities and Maximum Number of Hours  
for Which Cost Claims may be Filed**

Cost awards will be available in relation to the submission of written comments and participation in the Stakeholder Forum; and in relation to the submission of supplementary written comments on the issues explored at the Stakeholder Forum.

Pursuant to the OEB's letters of October 23, 2014 and December 15, 2014, the maximum number of cost eligible hours per participant for these activities are:

- written comments on Stakeholder Forum issues..... 25 hours
- prepare for, attend and report on Stakeholder Forum  
(up to 6 hours for attendance & 3 hours for preparation &  
reporting)..... 9 hours
- supplementary written comments on Stakeholder Forum issues ..... 40 hours

**Notice of Hearing for Cost Awards Dated October 19, 2015**

**Consultation on the Effectiveness of  
Part II of the *Energy Consumer Protection Act, 2010*  
OEB File No. EB-2014-0158**

**Appendix B**

**Ontario Energy Board Cost Claim for Consultations:  
Affidavit and Summary of Fees and Disbursements**

The forms that Eligible Participants must complete are provided in a separate MS Excel Workbook named, "EB-2014-0158 NOH Appendix B Cost Claim Form.xls".

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board Notice of Hearing for Cost Awards. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

**Instructions**

- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A Curriculum Vitae (CV) for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- **Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

|  |   |
|--|---|
| <b>File #</b> EB- <u>2014-0158</u>       | <b>Process:</b> <u>ECPA Review Consultation</u> |
| <b>Party:</b> _____                      | <b>Affiant's Name:</b> _____                    |
| <b>HST Number:</b> _____                 | <b>HST Rate Ontario:</b> _____                  |
| Full Registrant <input type="checkbox"/> | Qualifying Non-Profit <input type="checkbox"/>  |
| Unregistered <input type="checkbox"/>    | Tax Exempt <input type="checkbox"/>             |
| Other <input type="checkbox"/>           |   |

**Affidavit**

I, \_\_\_\_\_, of the City/Town of \_\_\_\_\_  
in the Province/State of \_\_\_\_\_, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

\_\_\_\_\_  
**Signature of Affiant**

**Sworn or affirmed before me** at the City/Town of \_\_\_\_\_,  
in the Province/State of \_\_\_\_\_, on \_\_\_\_\_,  
\_\_\_\_\_  
(date)

\_\_\_\_\_  
**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Affidavit and Summary of Fees and Disbursements**



File # EB- 2014-0158 Process: ECPA Review Consultation

Party: \_\_\_\_\_

**Summary of Fees and Disbursements Being Claimed**

|                         |               |
|-------------------------|---------------|
| Legal/consultant fees   | \$0.00        |
| Disbursements           | \$0.00        |
| HST                     | \$0.00        |
| <b>Total Cost Claim</b> | <b>\$0.00</b> |

**Detail of Fees and Disbursements Being Claimed**

**Statement of Fees Being Claimed**

Statement of Fees being claimed for Eligible Activity is found on the second tab of this workbook.

**Statement(s) of Disbursements Being Claimed**

Statement of Disbursements being claimed is found on the third tab of this workbook.