



June 11, 2026

BY EMAIL AND RESS

Ontario Energy Board
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Attention: Ritchie Murray
Acting Registrar

Dear Ritchie Murray:

Re: EB-2025-0286: Impala Canada Ltd. Cost Claim Objection

We are counsel to Impala Canada Ltd. ("**Impala**") in the above noted matter. Pursuant to the Ontario Energy Board's ("**OEB**") Decision and Order, dated May 21, 2026 ("**Decision**"), Impala has reviewed the cost claim filed by North Star Forestry Ltd. ("**North Star**") in the amount of \$50,136.97. Impala was not served with a copy of the cost claim. Impala obtained a copy from the OEB's website.

Section 5.01 of the OEB's *Practice Direction on Cost Awards* indicates that, when determining the quantum of a cost award, the OEB may consider whether an intervenor has demonstrated through its participation and documented in its cost claim that it has:

- a) participated responsibly in the process;
- b) contributed to a better understanding by the OEB of one or more of the issues in the process and complied with the OEB's orders, rules, codes, guidelines, and filing requirements;
- c) made reasonable efforts to combine its intervention with that of one or more similarly interested parties, and to co-operate with all other parties;
- d) made reasonable efforts to ensure that its participation in the process, including its evidence, interrogatories and cross-examination, was not unduly repetitive and was focused on relevant and material issues;
- e) engaged in any conduct that tended to lengthen the process unnecessarily; or
- f) engaged in any conduct which the OEB considers inappropriate or irresponsible.

Impala submits that North Star's cost claim is not aligned with the aforementioned criteria as North Star has not complied with the OEB's orders and rules, further to section 5.01(b) of the *Practice Direction on Cost Awards*. By not serving the cost claim on Impala, North Star failed to comply with the OEB's direction in the Decision¹ and section 10.02 of the OEB's *Practice Direction on Cost Awards*.² Had Impala not confirmed via the OEB's website, Impala would not have known the cost claim was submitted.

Impala requests that the OEB consider the foregoing when making a determination on the quantum of North Star's cost award, and specifically requests that it be reduced by 50%. The reduction is appropriate to reflect the failure to comply with the OEB's *Practice Direction of Cost Awards*, as well as the OEB's order. It also takes into account a reasonable reduction to reflect the appropriate number of hours that should have been spent by an intervenor.

Should you have any questions, please contact the undersigned.

Yours truly,

Cassels Brock & Blackwell LLP



Raivo Uukkivi
Partner

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¹ See OEB Decision and Order, in the matter of EB-2025-0286, dated May 21, 2026, p 12: "North Star Forestry Ltd. shall file with the OEB and forward to Impala Canada Ltd. its cost claim in accordance with the OEB's *Practice Direction on Cost Awards* on or before **June 4, 2026**" (emphasis added).

² Section 10.02 of the OEB's *Practice Direction on Cost Awards* requires that cost claims are filed with the OEB and served on the party(ies) paying the cost awards within the time and in the manner determined by the OEB.