



Ontario
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BY EMAIL

June 30, 2026

Ritchie Murray
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Registrar@oeb.ca

Dear Ritchie Murray:

**Re: Ontario Energy Board (OEB) Staff Submission
Hydro Ottawa Limited (Hydro Ottawa)
Application for electricity distribution rates and other charges beginning
January 1, 2026
OEB File Number: EB-2024-0115**

OEB staff has reviewed the submission by Hydro Ottawa, dated June 18, 2026, in the above referenced proceeding which addressed, among other matters, intervenor cost claims and adjudicative processes.

In addition to its submissions on the costs claimed by cost eligible intervenors, Hydro Ottawa also requested that OEB staff provide certain information in respect of the costs that have been assessed against Hydro Ottawa (i.e., the costs that the OEB requires Hydro Ottawa to pay pursuant to part 7 of the OEB's order issued May 12, 2026: "Hydro Ottawa Limited shall pay the OEB's costs incidental to this proceeding upon receipt of the Ontario Energy Board's invoice.") The information requested was: 1) additional detail regarding the costs that will be invoiced to Hydro Ottawa, including an itemized breakdown of the costs, and 2) confirmation that only costs associated with drafting and preparation of the expert report by OEB staff's expert witness incurred after the OEB had determined that it would permit this expert evidence will be included (i.e., October 7, 2025).

OEB staff notes that the Decision and Order issued May 12, 2026, did not include a process for Hydro Ottawa, or any party, to pose questions or make requests with respect to OEB costs associated with this proceeding as set out in the "OEB Staff

Costs” section of Hydro Ottawa’s submission.¹ While the Decision and Order also does not contemplate a reply from OEB staff, OEB staff considers it appropriate, in the interest of clarity and fairness, to provide a response to the comments raised by Hydro Ottawa.

One of the key roles of OEB staff in rate proceedings is to act in the public interest, which includes protecting the interest of consumers. To assist OEB staff, and ultimately the decision makers, OEB staff may leverage the services of an expert, as it did in this proceeding. The work of the expert was to independently assess assumptions and calculations regarding the proposals put forward by the applicant. Additionally, the expert analysis of the applicant’s proposals helped OEB staff in its determination to support the settlement proposal between the applicant and other parties.

When OEB staff uses an expert, or for other application-related expenses (e.g., publication of notice and translation, hearing transcription, etc.), the OEB has statutory authority to order recovery of its expenses under section 30(4) of the *Ontario Energy Board Act* (OEB Act). This is not the same provision of the OEB Act that is used for the provision of intervenor costs – section 30(1) – and was the subject of the OEB’s direction in the Decision and Order regarding submissions on cost awards.

As is typically the case, the Decision and Order provided no direction with regard to submissions related to section 30(4) costs. As the requested information breakdown relates to section 30(4) costs and to the broader, long-standing practice of not providing for submissions for such costs, OEB staff is of the view that such considerations may be more appropriately addressed through established channels for process improvement. This could include the Adjudicative Modernization Committee, of which Hydro Ottawa is a member. This is not a matter that should be considered in isolation as part of a single proceeding. OEB staff declines to provide the requested information.

Hydro Ottawa also requested that OEB staff clarify and confirm “that only costs incurred after the procedural milestone of October 7, 2025, directly related to the drafting and preparation of the expert report, are eligible for cost recovery.”² OEB staff engages with experts throughout proceedings in a manner intended to support efficient case management and to minimize any impacts on procedural timelines. As such, and in addition to its reasons provided above, OEB staff does not agree with this request and considers that the costs associated with expert evidence will be appropriately included.

¹ [HOL_Ltr_Cost Awards_OBJ_20260618](#), pp. 12 and 13

² *Ibid.*

Yours truly,

Original Signed By

Margaret DeFazio, P.Eng.
Senior Advisor, Distribution Asset Management

cc: All parties in EB-2024-0115