



EB-2007-0707

IN THE MATTER OF sections 25.30 and 25.31 of the
Electricity Act, 1998;

AND IN THE MATTER OF cost award eligibility for certain
intervenors in an application by the Ontario Power
Authority for review and approval of the Integrated Power
System Plan and proposed procurement processes.

Addendum to Decision on Cost Eligibility and Direction to Parties

On December 14, 2007, the Ontario Energy Board issued its Decision on Cost Eligibility and Direction to Parties in the Integrated Power System Plan (IPSP) and procurement processes proceeding. Since the issuance of that decision, two additional organizations sought intervenor and cost eligibility status: the Canadian Solar Industries Association and the Toronto Board of Trade. Two registered intervenors sought cost eligibility: Bullfrog Power and the Ontario Energy Association. In addition, the Electricity Market Investment Group, an intervenor who had previously sought cost eligibility, provided further information for the Board's consideration. The OPA did not object to any of the requests for intervention or cost eligibility.

The Board will grant cost eligibility status to:

- Canadian Solar Industries Association
- Ontario Energy Association, and
- Toronto Board of Trade.

Each of these organizations primarily represents a public interest relevant to the Board's mandate in this proceeding. These parties might not usually be eligible for an award of costs, but the Board has found that special circumstances exist in this proceeding that would allow these organizations to be eligible.

The Board will not grant cost eligibility status to:

- Bullfrog Power, and
- Electricity Market Investment Group.

Bullfrog Power is a single private entity, intervening on its own behalf. The Board recognizes that this intervenor may bring valuable insights to the proceeding, and welcomes its participation. However, this intervenor is not a not-for-profit association that has established an identifiable constituency, and does not represent a sufficiently broad interest to receive ratepayer funding.

The Electricity Market Investment Group appears not to be a not-for-profit association with a defined constituency and open membership, and a formal association structure. Although the Board values the participation of this group, the Board does not consider that it satisfies the criteria for cost eligibility. The Board will note, as requested, that Superior Energy is part of the group.

Intervenors are reminded that a cost award may not necessarily cover all an eligible intervenor's costs of participation in the proceeding. Recovery of one hundred percent of costs should not be relied upon.

The Board expects all intervenors to co-operate to create a useful and focused record for the Board. As it has done in the past, the Board will consider any lack of co-operation when determining the amount of a cost award.

DATED at Toronto, January 7, 2008.

ONTARIO ENERGY BOARD

Kirsten Walli

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Board Secretary