



EB-2007-0707

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

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

PROCEDURAL ORDER NO. 10

Cost Claims for Phase 2B

The Ontario Power Authority (the "OPA") filed an application with the Ontario Energy Board dated August 29, 2007 under the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A. The applicant is seeking an order of the Board approving the Integrated Power System Plan ("IPSP") and certain procurement processes. The Board assigned file number EB-2007-0707 to this application.

The Board has proceeded with its review of the IPSP in two phases. Phase 1 involved the determination of an Issues List for the proceeding. The Board has ruled on the cost claims for Phase 1 work.

Intervenors who had been found eligible for costs in Phase 1 of the proceeding were considered to continue to be eligible for costs in Phase 2. Several additional parties applied to be eligible for costs in Phase 2. On May 26, 2008, the Board issued its Decision on Phase 2 Cost Eligibility. Subsequent to that decision, Seine River First Nation applied for cost eligibility. The Board found this intervenor to be eligible for costs.

Overall, 44 parties have been determined by the Board to be eligible to apply for cost awards in Phase 2 of this proceeding. The 44 parties are:

- Alliston & District Environment Watch;
- Association of Major Power Consumers in Ontario;
- Association of Power Producers of Ontario;
- Building Owners and Managers Association;
- Canadian Chemical Producers' Association;
- Canadian Manufacturers & Exporters;
- Canadian Solar Industries Association;
- Canadian Wind Energy Association;
- City of Thunder Bay;
- City of Toronto;
- Consumers Council of Canada;
- Council of Canadians;
- Electricity Distributors Association;
- Energy Probe Research Foundation;
- First Nations Energy Alliance;
- Green Energy Coalition;
- Industrial Gas Users Association;
- Lake Huron Region Chiefs;
- Lake Ontario Waterkeeper;
- Métis Nation of Ontario;
- Municipality of Port Hope;
- National Chief's Office on behalf of the Assembly of First Nations;
- New Tecumseth Environment Watch;
- Nipissing First Nation;
- Nishnawbe Aski Nation;
- Northwatch;
- Northwestern Ontario Municipal Association;
- Ontario Energy Association;
- Ontario Federation of Agriculture;
- Ontario Mining Association;
- Ontario Sustainable Energy Association;
- Ontario Waterpower Association;
- Pembina Institute;
- Pollution Probe Foundation;
- Power Workers' Union
- Provincial Council of Women of Ontario;
- Saugeen Ojibway Nations;
- Seine River First Nation;
- Serpent River First Nation;
- School Energy Coalition;
- Society of Energy Professionals;
- Toronto Board of Trade;
- Township of Atikokan; and
- Vulnerable Energy Consumers Coalition.

Altogether, these parties will be referred to as the "eligible parties".

The interrogatory process, Phase 2A, was largely completed by September 2, 2008. The Board has ruled on the cost claims for work on Phase 2A up until that date.

The Board noted in its oral decision on October 2, 2008 that it would issue a procedural order for an interim cost award. The procedural order would include provisions for costs relating to interrogatories on the NOMA and Seine River evidence.

Accordingly, this procedural order invites applications for costs for Phase 2B of the proceeding. The cost claims will cover the period starting on September 3, 2008 and ending on October 2, 2008. For NOMA, Seine River, and eligible parties who participated in the interrogatories on NOMA and Seine River evidence, the cost claims will cover the period starting on September 3, 2008 and ending on October 10, 2008.

The OPA will be responsible for paying the amounts the Board approves in its cost awards to the eligible parties. Furthermore, all eligible parties are reminded that they must submit their cost claims in accordance with the Board's Practice Direction on Cost Awards, which can be found on the Board's website at www.oeb.gov.on.ca, and ensure that their claims are consistent with the Board's required forms and the Cost Awards Tariff.

Please be aware that the Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Eligible parties shall submit their cost claims for costs incurred in relation to Phase 2B of the proceeding by **January 9, 2009**. A copy of the cost claim must be filed with the Board and one copy is to be served on the OPA. **The cost claims must be completed in accordance with section 10 of the Board's Practice Direction on Cost Awards.**
2. The OPA will have until **January 23, 2009** to object to any aspect of the costs claimed. A copy of the objection must be filed with the Board and one copy must be served on the party against whose claim the objection is being made.
3. The party whose cost claim was objected to will have until **February 6, 2009** to make a reply submission as to why their cost claim should be allowed. Again, a

copy of the submission must be filed with the Board and one copy must be served on the OPA.

All filings to the Board must quote file number EB-2007-0707. The Board's mailing address is P.O. Box 2319, 2300 Yonge St., 27th Floor, Toronto ON, M4P 1E4. All communications should be directed to the attention of the Board Secretary and be received no later than 4:45 PM on the required date.

DATED at Toronto, November 28, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary