

**Ontario Energy
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**Commission de l'énergie
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VIA E-MAIL AND WEB POSTING

January 17, 2011

**To: All Rate-regulated Licensed Electricity Distributors
Association of Major Power Consumers in Ontario
Association of Power Producers of Ontario
Electrical Contractors Association of Ontario
London Property Management Association
School Energy Coalition**

**Re: Notice of Hearing for Cost Awards
Amendments to the Alternative Bid Provisions of the Distribution System
Code
Board File No.: EB-2010-0038**

Background

On March 10, 2010, the Ontario Energy Board (the “Board”) issued a Notice of Proposal to Amend a Code (the “Notice”) that contained proposed amendments to the alternative bid option provisions of the Distribution System Code (the “Code”). The Notice indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (the “Act”) in relation to their participation in this consultation process to a maximum of 10 hours, and that any costs awarded would be recovered from all rate-regulated licensed electricity distributors.

In its April 1, 2010 Decision on Cost Eligibility, the Board determined that the following participants were eligible for an award of costs in this consultation process:

- Association of Major Power Consumers in Ontario;
 - Association of Major Power Producers of Ontario;
 - Electrical Contractors Association of Ontario;
 - London Property Management Association;; and
 - School Energy Coalition,
- (together, the “eligible participants”).

On July 28, 2010, the Board issued a Notice of Amendments to a Code advising interested parties of the adoption and issuance by the Board of amendments to the Code. With the issuance of that Notice, this consultation process has been completed.

Notice of Hearing

The Board is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the Act in relation to this consultation. The file number for this hearing is **EB-2010-0038**.

The Board intends to proceed by way of written hearing unless a party can satisfy the Board 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 Board no later than 7 days after the date of this Notice of Hearing.

Assuming that the Board 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 **January 31, 2011**. The cost claims must be completed in accordance with section 10 of the Board's *Practice Direction on Cost Awards*. A copy of the cost claim must be filed with the Board and one copy is to be served on each rate-regulated licensed electricity distributor.
2. Electricity distributors will have until **February 7, 2011** 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 eligible participant against whose claim the objection is being made.
3. The eligible participant whose cost claim was objected to will have until **February 14, 2011** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the Board and one copy is to be served on the objecting distributor.

The Board will then issue its decision on cost awards. The Board'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 one paper copy and one electronic copy of their submissions with the Board Secretary by **4:45 pm** on the required dates. The Board 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 Board's web portal

at www.errr.oeb.gov.on.ca. A user ID is required to submit documents through the Board's web portal. If you do not have a user ID, please visit the "e-filings services" webpage on the Board's website at www.oeb.gov.on.ca, and fill out a user ID password request. Additionally, 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 Board's web portal is not available, electronic copies of filings may be filed by e-mail at boardsec@oeb.gov.on.ca. Those that do not have internet access should provide a CD containing their filing in PDF format.

All submissions must quote file number **EB-2010-0038** and include your name, address, telephone number and, where available, your e-mail address and fax number.

All submissions in this hearing (including cost claims, objections, and reply submissions) will form part of the public record and copies of the submissions will be available for inspection at the Board's offices during normal business hours and may be published on the Board's website.

If the submission 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 submission available for viewing at the Board's offices or placing the submission on the Board's website, the Board will remove any personal (i.e., not business) contact information from the submission (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 submission will be available for viewing at the Board's offices and will be placed on the Board's website.

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

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary