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**BY EMAIL AND WEB POSTING**

March 14, 2013

**To: All Licensed Electricity Distributors  
Association of Major Power Consumers in Ontario  
Consumers Council of Canada  
Canadian Federation of Independent Business  
Canadian Manufacturers & Exporters  
Federation of Rental-housing Providers of Ontario  
Vulnerable Energy Consumers Coalition**

**Re: Decision on Cost Eligibility**

**–and –**

**Notice of Hearing for Cost Awards  
Encouraging Electricity Distributor Efficiency  
Board File Number: EB-2012-0397**

### **Background**

On February 11, 2013, the Ontario Energy Board (the “Board”) issued a letter (the “February Letter”) giving notice of an initiative to assess how the Board’s approach to the regulation of electricity distributors may affect their ability to realize operational or organizational efficiencies that benefit customers. The February Letter invited interested parties to participate in a stakeholder meeting to be held on February, 27, 2013, for the purpose of allowing stakeholders the opportunity to provide their views on changes that could be made to the Board’s processes and policies that would support efficiency gains.

In the February Letter, the Board also 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 preparing for and attendance at the stakeholder meeting, to a maximum of 10 hours, and further stated that costs awarded would be recovered from all licensed electricity distributors based on their respective distribution revenues.

Although this initiative has not yet been completed, the Board considers it expedient at this time to address cost eligibility for this consultation as well as cost awards in relation to participation in the stakeholder meeting.

### **Decision on Cost Eligibility**

The Board received requests for cost award eligibility from the following participants:

- Association of Major Power Consumers in Ontario;
- Consumers Council of Canada;
- Canadian Federation of Independent Business;
- Canadian Manufacturers & Exporters;
- Federation of Rental-housing Providers of Ontario; and
- Vulnerable Energy Consumers Coalition.

Electricity distributors were given an opportunity to file any objections they might have in relation to the eligibility of the above-noted participants for an award of costs. No objections were filed within the deadlines specified for that purpose by the Board.

Based on the criteria set out in section 3 of the Board's *Practice Direction on Cost Awards*, the Board has determined that all of the above-noted participants (the "eligible participants") are eligible for an award of costs in this consultation process.

### **Notice of Hearing**

The Board is initiating a 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 participation in the February 27, 2013 stakeholder meeting. The file number for the hearing is EB-2012-0397.

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.

Assuming that the Board does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. The eligible participants shall submit their cost claims by **March 28, 2013**. A copy of the cost claim must be filed with the Board and one copy is to be served on each licensed electricity distributor. The cost claims must be completed in accordance with section 10 of the Board's *Practice Direction on Cost Awards* and using the form attached to this Decision and Notice of Hearing.
2. Licensed distributors will have until **April 8, 2013**, 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 claim was objected to will have until **April 15, 2013**, 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.
4. 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 two paper copies and one electronic copy of their submissions (i.e., cost claims, objections or replies) with the Board Secretary by **4:30 p.m.** 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.pes.ontarioenergyboard.ca/eservice/](http://www.pes.ontarioenergyboard.ca/eservice/). 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.ontarioenergyboard.ca](http://www.ontarioenergyboard.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@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.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-2012-0397** and include your name, address, e-mail address, telephone number, and fax number.

All submissions in this hearing (i.e., cost claims, objections, or replies) will form part of the public record. 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 may 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 Decision and 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

Attachment A: Form for Cost Claim