



**EB-2014-0138**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O., 1998, c. 15, Schedule B;

**AND IN THE MATTER OF** cost award eligibility for interested stakeholders in the consultation to review the Board's policies relating to service area amendments and rate-making after consolidation transactions.

**BEFORE:** Marika Hare  
Presiding Member

Cathy Spoel  
Board Member

### **DECISION ON COST ELIGIBILITY**

May 20, 2014

In a [letter](#) issued on November 4, 2013, the Ontario Energy Board (the "Board") announced that it would launch a review of its policies related to service area amendments and rate-making associated with merger, amalgamation, acquisition and divestiture transactions.

On March 31, 2014, the Board posted a Board staff [Discussion Paper](#) related to this initiative. In the [cover letter](#) accompanying the release of the Discussion Paper, the Board indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to the provision of comments on the Discussion Paper to a maximum of 21 hours, and that costs awarded will be recovered from all licensed electricity distributors based on their respective distribution revenues.

The Board received requests for cost eligibility from the following stakeholders:

- [Building Owners and Managers Association – Greater Toronto](#)
- [Canadian Manufacturers & Exporters](#)
- [Consumers Council of Canada](#)
- [London Property Management Association](#)
- [School Energy Coalition](#)
- [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. The Board did not receive any objections from distributors by the deadline established for that purpose in the Board's March 31, 2014 letter.

Based on the criteria set out in section 3 of the Board's *Practice and Direction on Cost Awards*, the Board has determined that all of the above stakeholders are eligible for an award of costs. The Board expects that eligible stakeholders with similar interests will make reasonable efforts to coordinate their participation and to cooperate with other participants, and will consider any lack of coordination or cooperation when determining the amount of a cost award. Amendments to the *Practice Direction on Cost Awards* that were announced on April 24, 2014 reinforce this expectation, referring specifically to the Board considering whether an eligible stakeholder has demonstrated such coordination and cooperation through its participation and documented such efforts in its cost claim.

**ISSUED AT** Toronto, May 20, 2014

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary