



**Ontario Energy Board**  
**Commission de l'énergie de l'Ontario**

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## **DECISION ON COST ELIGIBILITY**

**EB-2015-0043**

## **ONTARIO ENERGY BOARD**

**cost award eligibility for interested parties and stakeholders  
participating in the consultation on commercial and  
industrial rate design**

**BEFORE:**      **Cathy Spoel**  
Presiding Member

**Christine Long**  
Member

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**July 16, 2015**

In its May 28, 2015 [letter regarding consultation and cost eligibility](#), the OEB announced its intention to initiate development of new distribution rates for commercial and industrial customers. At the same time, the OEB invited parties to express interest in participating in the consultation process.

The letter stated that costs awarded will be recovered from all rate-regulated electricity distributors apportioned amongst these entities on a pro-rata basis relative to their contributions to the OEB's annual cost assessment.

The following have requested cost eligibility in relation to their participation in the consultation within the time established for that purpose in the letter:

- [Building Owners and Managers Association](#)
- [Canadian Federation of Independent Business](#)
- [Canadian Manufacturers & Exporters](#)
- [CanSIA](#)
- [London Property Management Association](#)
- [Energy Probe](#)
- [Environmental Defence](#)

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 OEB did not receive any objections from electricity distributors or transmitters by the deadline established for that purpose in the letter.

The OEB received late requests for cost eligibility from the following:

- [Association of Major Power Consumers in Ontario](#)
- [Association of Power Producers of Ontario](#)
- [School Energy Coalition](#)

The OEB has accepted the requests despite the late filing.

APPo and CanSIA would not usually be eligible for an award of costs due to its inclusion in the list of ineligible parties in section 3.05 of the Practice Direction. Under section 3.06 of the Practice Direction, however, such a participant may nonetheless be eligible for a cost award if the participant is a customer of the applicant.

Generators are customers of distributors, who in turn for cost awards purposes are considered to be the applicants in the context of this initiative. Moreover, the OEB has previously determined APPrO and CanSIA to be eligible for cost awards in relation to the rate design consultation. The OEB has therefore determined that APPrO and CanSIA are eligible for cost awards in relation to their participation in the consultation.

Therefore, the OEB has determined that the parties to this consultation that are eligible for cost awards are:

- Association of Major Power Consumers in Ontario
- Association of Power Producers of Ontario
- Building Owners and Managers Association
- Canadian Federation of Independent Business
- Canadian Manufacturers & Exporters
- CanSIA
- Energy Probe
- Environmental Defence
- London Property Management Association
- School Energy Coalition

The OEB reminds participants that cost awards will be available in relation to participation in the Stakeholder Meetings. The maximum number of cost eligible hours per participant to prepare for, attend and report on Stakeholder Meetings is up to 1.5 times the meeting time. Information on the maximum number of eligible hours will be made when the meetings are announced.

Other eligible activities will be announced as the project progresses. This cost eligibility decision will apply to any further eligible activities in this process.

**DATED** at Toronto July 16, 2015

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary