



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

BY EMAIL AND WEB POSTING

May 9, 2023

To: All Licensed Electricity Distributors

Respondents to the Stakeholder Engagement for EB-2022-0160

**Re: Notice of Hearing for Cost Awards related to Enabling the Implementation of an Ultra-Low Overnight TOU Price Plan
Ontario Energy Board File No. EB-2022-0160**

Background

In an August 10, 2022 [regulatory posting](#), the Government of Ontario announced that it intends to introduce further choice for electricity consumers on the Regulated Price Plan (RPP) by introducing a new optional Ultra-Low Overnight (ULO) price plan that is consistent with the OEB's March 31, 2022 [report](#) to the Minister of Energy. The launch date for this new price plan is May 1, 2023, with distributors offering the new price plan no later than November 1, 2023. Those distributors who can, may begin charging the new price plan to their customers as early as May 1, 2023.

On August 15, 2022 the Ontario Energy Board (OEB) issued a [letter](#) initiating a consultation on how to enable the implementation of an optional ULO Price Plan for RPP consumers. The letter invited stakeholders to a meeting on September 13, 2022 to outline OEB staff's proposal for enabling the implementation of the ULO price plan, to obtain feedback on the OEB's implementation proposal and to identify any implementation issues that may not have been covered by the proposal. The letter also indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (OEB Act), and made provision for stakeholders to apply for cost award eligibility.

On October 18, 2022, the OEB issued a [Notice of Proposal to amend the Standard Supply Service Code \(SSSC\) and RPP Manual](#) to enable electricity consumers on the RPP the option to enrol in a ULO price plan starting May 1, 2023. Stakeholders were

invited to submit written comments on the proposed amendments no later than November 8, 2022.

In the August 15, 2022 invitation letter and a September 9, 2022 [Decision](#), the OEB determined that the following stakeholders are eligible for cost awards in relation to this consultation, to be recovered from all rate-regulated licensed electricity distributors based on the number of customers they serve:

- Association of Major Power Consumers in Ontario (AMPCO)
- Building Owners and Managers Association, Greater Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Electric Vehicle Society (EVS)
- Environmental Defence
- London Property Management Association (LPMA)
- Low-income Energy Network (LIEN)
- Ontario Chamber of Commerce (OCC)
- Pollution Probe
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Three Fires Group Inc.
- Vulnerable Energy Consumers Coalition (VECC)

Eligible Activities

Cost awards will be available for participation in the stakeholder meeting that was held on September 13, 2022 and the submission of written comments on the proposed amendments to the SSSC and RPP Manual. The maximum number of hours allowed per participant for the eligible activities is set out in the Appendix to this Notice.

Notice of Hearing

The OEB is initiating a hearing on its own motion in order to determine the cost awards to participants in this consultation identified above that are eligible for costs. The decision on costs will be made by a delegated authority under section 6 of the *Ontario Energy Board Act, 1998*. The hearing will follow the process set out below.

1. Eligible participants shall submit their cost claims by **May 23, 2023**. The cost claim must be filed with the OEB 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 OEB's [Practice Direction on Cost Awards](#).

Eligible participants must use the customized Cost Claim Form attached as Appendix A to this Notice.

2. Licensed electricity distributors will have until **June 2, 2023** to object to any aspect of the costs claimed. The objection must be filed with the OEB 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 **June 9 2023** to file a reply submission with the OEB as to why its cost claim should be allowed. One copy of the reply submission is to be served on the objecting party.
4. The OEB will then issue its decision on cost awards.

The OEB will use the process set out in section 12 of its [Practice Direction on Cost Awards](#) to implement the payment of the cost awards. The OEB will therefore act as a clearing house for all payments of cost awards in this process.

How to File Materials

Parties are responsible for ensuring that any documents they file with the OEB **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number **EB-2022-0160** for all materials filed and kindly submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number, fax number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at www.oeb.ca/industry.

- Stakeholders are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the web portal can contact registrar@oeb.ca for assistance.

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

Email: registrar@oeb.ca

Tel: 1-888-632-6273 (Toll-free)

Dated at Toronto, **May 9 2023**

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance

Attachment: Appendix A

ATTACHMENT 'A'

**Notice of Hearing for Cost Awards
Dated May 9, 2023**

**Consultation (Enabling the Implementation of an Ultra-Low
Overnight TOU Price Plan)**

(EB-2022-0160)

Appendix A: Activities for which Cost Claims may be filed

No.	Activity Eligible for Cost Awards	Date of the Meeting/Filing	Eligible	Maximum Number of Hours
1.	Stakeholder meeting (preparation, attendance, and reporting)	September 13, 2022	Meeting time x 1.5	4.5
2.	Written comments	November 8, 2022	5 Hours	5