



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

DECISION AND ORDER ON COST AWARDS

EB-2022-0160

Enabling the Implementation of an Ultra-Low Overnight TOU Price Plan

By Delegation Before: **Brian Hewson**
Vice President, Consumer Protection &
Industry Performance

July 10, 2023

OVERVIEW

On August 15, 2022, the OEB issued a [letter](#) initiating a consultation on how to enable the implementation of an optional Ultra-Low Overnight (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. 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 option to enroll 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)

On May 9, 2023, the OEB issued a [Notice of Hearing for Cost Awards](#) (the Notice) in

relation to 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 OEB received cost claims from BOMA, CME, CCC, EVS, Environmental Defence, LPMA and Pollution Probe. AMPCO, LIEN, OCC, QMA, SEC, Three Fires Group Inc. and VECC did not file a cost claim. No objections were received.

OEB Findings

The OEB has reviewed the cost claims filed to ensure they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB has determined that all participants filing cost claims meet the criteria set out in the OEB's *Practice Direction on Cost Awards* and are therefore eligible for cost awards (Eligible Participants). The OEB finds that the cost claims are reasonable and within the maximum number of hours eligible for cost awards. The OEB approves cost awards for the Eligible Participants as follows:

- Building Owners and Managers Association, Greater Toronto \$1,491.60
- Canadian Manufacturers & Exporters \$1,118.70
- Consumers Council of Canada \$1,864.50
- Electric Vehicle Society \$623.76
- Environmental Defence \$2,064.51
- London Property Management Association \$2,983.20
- Pollution Probe \$2,983.20

Process for Paying the Cost Awards

The amount payable by each rate-regulated licensed electricity distributor in relation to costs awarded to each Eligible Participant is listed in Schedule A to this Decision and Order. However, the amounts will not be paid directly by the distributor to the Eligible Participant.

The OEB will use the process set out in section 12 of the Practice Direction on Cost Awards to implement the payment of the approved cost awards whereby the OEB will act as a clearing house for all payments of cost awards. Consistent with this process, each rate-regulated licensed electricity distributor is issued one invoice that covers all cost awards payable for the relevant period. As a result, the invoice may cover cost awards payable in relation to several proceedings and consultations, including this

consultation. The invoice will be sent out at the same time as the invoices for cost assessments under section 26 of the Act are sent out, and payment will be due at the same time that cost assessments are due.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Each rate-regulated licensed electricity distributor in Schedule A to this Decision and Order shall make a payment to the OEB in accordance with the amounts set out in Schedule A, upon receiving an invoice from the OEB.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, each rate-regulated licensed electricity distributor shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto July 10, 2023

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance

Schedule A

OEB's Decision and Order on Cost Awards

EB-2022-0160

Electricity Distribution System Owner/Operator	Building Owners & Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Environmental Defence	London Property Management Association	Pollution Probe	Cost Awards	Total Costs
Algoma Power Inc.	3.44	2.58	4.30	1.44	4.76	6.88	6.88	30.28	30.28
Alectra Utilities Corporation	301.04	225.78	376.31	125.89	416.67	602.09	602.09	2,649.87	2,649.87
Bluewater Power Distribution Corporation	10.42	7.81	13.02	4.36	14.42	20.84	20.84	91.71	91.71
Burlington Hydro Inc.	19.35	14.51	24.18	8.09	26.78	38.69	38.69	170.29	170.29
Canadian Niagara Power Inc.	8.45	6.34	10.57	3.54	11.70	16.91	16.91	74.42	74.42
EPCOR Electricity Distribution Ontario Inc.	5.20	3.90	6.50	2.18	7.20	10.40	10.40	45.78	45.78
E.L.K. Energy Inc.	3.44	2.58	4.30	1.44	4.76	6.88	6.88	30.28	30.28

Electricity Distribution System Owner/Operator	Building Owners & Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Environmental Defence	London Property Management Association	Pollution Probe	Cost Awards	Total Costs
Elexicon Energy Inc.	48.28	36.21	60.35	20.19	66.83	96.57	96.57	425.00	425.00
Enova Power Corp.	44.69	33.52	55.86	18.69	61.86	89.38	89.38	393.38	393.38
Entegrus Powerlines Inc.	17.31	12.98	21.64	7.24	23.96	34.62	34.62	152.37	152.37
Enwin Utilities Ltd.	25.49	19.11	31.86	10.66	35.27	50.97	50.97	224.33	224.33
ERTH Power Corporation	6.75	5.06	8.43	2.82	9.34	13.50	13.50	59.40	59.40
Essex Powerlines Corporation	8.70	6.52	10.87	3.64	12.04	17.39	17.39	76.55	76.55
Festival Hydro Inc.	6.17	4.62	7.71	2.58	8.53	12.33	12.33	54.27	54.27
GrandBridge Energy Inc.	30.56	22.92	38.20	12.78	42.30	61.13	61.13	269.02	269.02
Greater Sudbury Hydro Inc.	13.47	10.10	16.84	5.63	18.64	26.94	26.94	118.56	118.56

Electricity Distribution System Owner/Operator	Building Owners & Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Environmental Defence	London Property Management Association	Pollution Probe	Cost Awards	Total Costs
Grimsby Power Incorporated	3.34	2.51	4.18	1.40	4.62	6.68	6.68	29.41	29.41
Halton Hills Hydro Inc.	6.40	4.80	8.00	2.68	8.86	12.80	12.80	56.34	56.34
Hydro One Networks Inc.	405.25	303.96	506.61	169.43	560.94	810.52	810.52	3,567.23	3,567.23
Hydro Ottawa Limited	99.43	74.58	124.29	41.58	137.63	198.87	198.87	875.25	875.25
Innpower Corporation	5.55	4.16	6.93	2.32	7.67	11.09	11.09	48.81	48.81
Kingston Hydro Corporation	7.88	5.91	9.85	3.29	10.90	15.76	15.76	69.35	69.35
Lakefront Utilities Inc.	3.03	2.27	3.78	1.27	4.19	6.05	6.05	26.64	26.64
Lakeland Power Distribution Ltd.	3.99	2.99	4.99	1.67	5.52	7.98	7.98	35.12	35.12
London Hydro Inc.	46.19	34.65	57.74	19.32	63.94	92.39	92.39	406.62	406.62

Electricity Distribution System Owner/Operator	Building Owners & Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Environmental Defence	London Property Management Association	Pollution Probe	Cost Awards	Total Costs
Milton Hydro Distribution Inc.	11.84	8.88	14.80	4.95	16.39	23.69	23.69	104.24	104.24
Newmarket-Tay Power Distribution Ltd.	12.53	9.40	15.66	5.24	17.34	25.06	25.06	110.29	110.29
Niagara Peninsula Energy Inc.	16.26	12.19	20.32	6.80	22.50	32.51	32.51	143.09	143.09
North Bay Hydro Distribution Limited	7.78	5.83	9.72	3.25	10.76	15.55	15.55	68.44	68.44
Oakville Hydro Electricity Distribution Inc.	21.14	15.85	26.42	8.84	29.26	42.28	42.28	186.07	186.07
Orangeville Hydro Limited	3.60	2.70	4.49	1.50	4.98	7.19	7.19	31.65	31.65
Oshawa PUC Networks Inc.	16.89	12.67	21.12	7.07	23.38	33.79	33.79	148.71	148.71
Ottawa River Power Corporation	3.25	2.44	4.06	1.36	4.50	6.50	6.50	28.61	28.61
PUC Distribution Inc.	9.53	7.15	11.91	3.99	13.19	19.06	19.06	83.89	83.89

Electricity Distribution System Owner/Operator	Building Owners & Managers Association	Canadian Manufacturers & Exporters	Consumer Council of Canada	Electric Vehicle Society	Environmental Defence	London Property Management Association	Pollution Probe	Cost Awards	Total Costs
Synergy North Corporation	16.03	12.02	20.03	6.70	22.18	32.05	32.05	141.06	141.06
Toronto Hydro-Electric System Limited	221.11	165.83	276.39	92.47	306.04	442.23	442.23	1,946.30	1,946.30
Wasaga Distribution Inc.	4.08	3.06	5.10	1.71	5.64	8.15	8.15	35.89	35.89
Welland Hydro-Electric System Corp.	6.93	5.20	8.66	2.90	9.59	13.86	13.86	61.00	61.00
Westario Power Inc.	6.81	5.11	8.51	2.85	9.43	13.62	13.62	59.95	59.95

Electricity Distribution System Owner/Operator Total \$ 1,491.60 \$ 1,118.70 \$ 1,864.50 \$ 623.76 \$ 2,064.51 \$ 2,983.20 \$ 2,983.20 \$ 13,129.47 \$ 13,129.47

Note: Total intervenor costs of \$176.88 were reallocated to the companies listed in the Schedule A based on the Sec.26 Cost Assessment Model to eliminate charges under \$25. This option is in line with the Practice Direction on Cost Awards (section 12.02).