



BY E-MAIL AND WEB POSTING

July 10, 2009

To: All Licensed Electricity Distributors
Energy Probe Foundation
Wireless Electrical and Electromagnetic Pollution

Re: **Notice of Hearing for Cost Awards**
Board File Number: EB-2007-0709

Background

On August 7, 2007, the Ontario Energy Board initiated a consultation process in response to a Minister's Directive that required the Board to implement such measures as the Board considers necessary to address the issue of stray voltage as it affects the farm sector. In its letter of that date inviting participation in the consultation, the Board indicated that cost awards would be available to eligible participants under section 30 of the *Ontario Energy Board Act, 1998* (the "Act") for their participation.

In its Decision on Cost Eligibility dated October 11, 2007 and its Supplementary Decision on Cost Eligibility dated November 29, 2007, the Board determined that the following participants were eligible for cost awards:

Energy Probe Foundation; and
Wireless Electrical and Electromagnetic Pollution

In its letter dated August 7, 2007, the Board indicated that any costs awarded will be recovered from all licensed electricity distributors based on their respective distribution revenues, with the exception of the following distributors that identified themselves to the Board as not having farm customers:

E.L.K. Energy Inc.
EnWin Utilities Limited
Hydro Hawkesbury Inc.
Orillia Power

Ottawa River Power Corp.
PowerStream Inc.
Toronto Hydro
Woodstock Hydro Services Inc.

The Board indicated that it would use the process set out in section 12 of the Board's *Practice Direction on Cost Awards* and that it would act as a clearing house for all payments of cost awards. Attachment A to this letter lists the activities eligible for costs and the corresponding number of hours for each activity.

Notice of Hearing

The Board is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the Act for the stakeholder consultation activities. The file number for this hearing is EB-2007-0709.

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 **July 31, 2009**. A copy of the cost claim must be filed with the Board. All cost claims received will be posted on the Board's website. The cost claims must be completed in accordance with section 10 of the Board's *Practice Direction on Cost Awards*.
2. Distributors will have until **August 14, 2009** 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 cost claim was objected to will have until **August 21, 2009** 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.

All submissions in this hearing (i.e. cost claims, objections and replies) will form part of the public record. Copies of the submissions will be available for inspection at the Board's office and will be published on the Board's website. In accordance with the filing instructions set out below, parties must file two paper copies, and an electronic copy of their submissions with the Board Secretary by **4:45 pm** on the required dates.

Instructions on Filing Material with the Board

The submissions must quote file number **EB-2007-0709** and include your name, address, telephone number and, where available, an e-mail address and fax number. Two (2) paper copies of each filing must be provided, and should be sent to:

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
Suite 2700
Toronto, ON M4P 1E4

An electronic copy of each filing is also required. The Board requests that parties make every effort to provide the electronic copy of their filing in native (e.g., Excel for spreadsheets) and searchable/unrestricted Adobe Acrobat (PDF) formats, and to submit their filings through the Board's web portal at www.errr.oeb.gov.on.ca. 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.oeb.gov.on.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@oeb.gov.on.ca.

Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies.

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 Notice,

the Board may proceed without your participation and you will not be entitled to further notice in this proceeding.

Yours truly,

Original signed by

John Pickernell
Assistant Board Secretary

Attachment

**Attachment A: Eligible Activities and Maximum Number of Hours
EB-2007-0709**

Cost awards will be available to eligible participants for the following activities:

1. Preparing for, attending and reporting on the Stakeholder Consultation Conference (“meeting of interested parties”) convened on December 5, 2007 between the hours of 9:30 AM and 4:30 PM to review and discuss Board staff’s preliminary findings and proposals, where the maximum eligible hours per cost award application is calculated by multiplying the actual meeting hours (7) by a factor of 1.5.
2. Preparing written comments on the Board staff Discussion Paper
3. Preparing written comments on the Notice of Proposal to Amend a Code issued October 31, 2008 (the October Notice)
4. Preparing written comments on the Notice of Proposal to Amend a Code issued March 31, 2009 (the March Notice)

The maximum number of hours for which cost awards will be available for each of the eligible activities detailed above is shown below:

	Activity	Maximum Eligible Hours per Participant/Organization
1	Stakeholder Consultation Conference	10.5
2	Written Comments on Staff Discussion Paper	30
3	Written Comments on the October Notice	15
4	Written Comments on the March Notice	15