



EB-2014-0276

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

AND IN THE MATTER OF an Application by Enbridge
Gas Distribution Inc. for an order or orders approving or
fixing rates for the sale, distribution, transmission and
storage of gas commencing January 1, 2015.

BEFORE: Emad Elsayed
Presiding Member

Christine Long
Member

DECISION AND ORDER ON COST AWARDS
June 16, 2015

Background

Enbridge Gas Distribution Inc. (Enbridge) filed an application dated November 28, 2014 with the Ontario Energy Board (OEB) under section 36 of the *Ontario Energy Board Act*, S.O. 1998 for an order or orders approving rates commencing January 1, 2015.

On January 12, 2015, the OEB issued Procedural Order No. 1, granting the Association of Power Producers of Ontario (APPrO), Building Owners and Managers Association (BOMA), Canadian Manufacturers and Exporters (CME), Consumers Council of Canada (CCC), Energy Probe Research Foundation (Energy Probe), Federation of Rental-housing Providers of Ontario (FRPO), Ontario Association of Physical Plant Administrators (OAPPA), School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) intervenor status and cost award eligibility.

The OEB held an oral hearing on April 14, 2015 and accepted the Settlement Proposal and the Supplementary Settlement Proposal. On May 14, 2015 the OEB issued its Final Rate Order in which it set out the process for intervenors to file their cost claims, for Enbridge to object to any claims, and for intervenors to respond to any objections raised by Enbridge.

The OEB received cost claims from APPrO, BOMA, CME, CCC, Energy Probe, FRPO, OAPPA, SEC and VECC.

On May 28, Enbridge filed its response and stated that the claims of APPrO, BOMA, CME, CCC, Energy Probe, FRPO, OAPPA, SEC and VECC were within tolerances of the OEB guidelines.

Findings

The OEB has reviewed all the cost claims. The OEB observes CME's comment in its May 21, 2015 letter that the initial settlement negotiations concluded on or about March 12, 2015 and that the March 13, 2015 Settlement Proposal included an "unsettled issue". CME explained that CME's and FRPO's claims were higher than the other intervenors because they took the lead on behalf of the others in respect of reaching an agreement on the "unsettled issue" which led to the Supplementary Settlement Proposal.

The OEB acknowledges CME's explanation and finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding.

The claim of FRPO requires a minor reduction to comply with the government's *Travel, Meal and Hospitality Expenses Directive*. The OEB finds that the claims of APPrO, BOMA, CME, CCC, Energy Probe, OAPPA, SEC and VECC and the adjusted claim of FRPO are reasonable and that each of these claims shall be reimbursed by Enbridge.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall immediately pay the following amounts to the intervenors for their costs:
 - Association of Power Producers of Ontario \$6,948.78
 - Building Owners and Managers Association \$10,850.23
 - Canadian Manufacturers and Exporters \$27,986.15
 - Consumers Council of Canada \$7,085.10
 - Energy Probe Research Foundation \$10,475.87
 - Federation of Rental-housing Providers of Ontario \$23,046.95
 - Ontario Association of Physical Plant Administrators \$2,254.00
 - School Energy Coalition \$2,834.04
 - Vulnerable Energy Consumers Coalition \$10,978.66

2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto, June 16, 2015

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary