



**EB-2014-0261**

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

**AND IN THE MATTER OF** an application by Union Gas Limited for an order or orders granting leave to construct natural gas pipeline and ancillary facilities in the City of Hamilton, the City of Burlington, and the Town of Milton;

**AND IN THE MATTER OF** an application by Union Gas Limited for an order or orders granting leave to construct a compressor station in the Municipality of Middlesex Centre;

**AND IN THE MATTER OF** an application by Union Gas Limited for an order or orders for pre-approval of the recovery of the cost consequences of all facilities associated with the development of the natural gas pipelines and ancillary facilities and the compressor station.

**BEFORE:** Ellen Fry  
Member

## **DECISION AND ORDER ON COST AWARDS**

**June 29, 2015**

### **Background**

Union Gas Limited (Union) filed an application with the Ontario Energy Board (OEB) on September 30, 2014 for:

1. leave to construct 20 kilometers of NPS 48 pipeline from the Hamilton Valve Site to Milton Valve Site in the City of Hamilton, the City of Burlington, and the Town of Milton pursuant to section 90 of the Act;
2. leave to construct Lobo C Compressor Station and associated facilities at the Lobo Compressor Station site in the Municipality of Middlesex Centre pursuant to section 91 of the Act;
3. approval of the recovery of costs associated with the system expansion which is the subject of this application pursuant to section 36 of the Act; and
4. approval of an accounting order to establish the 2016 Dawn Parkway Expansion Project Deferral Account.

The OEB has granted intervenor status and cost award eligibility to the Association of Power Producers of Ontario (APPo), Building Owners and Managers Association Greater Toronto (BOMA), Canadian Manufacturers and Exporters (CME), Canadian National Railway Company (CN), the Federation of Rental-housing Providers of Ontario (FRPO), Gas Pipeline Landowners of Ontario (GAPLO), London Property Management Association (LPMA), School Energy Coalition (SEC), the Ontario Greenhouse Vegetable Growers (OGVG), and Vulnerable Energy Consumers Coalition (VECC). On April 30, 2015, the OEB issued its Decision and Order, in which it set out the process for intervenors to file their cost claims, for Union to object to the claims and for intervenors to respond to any objections raised by Union.

The OEB received cost claims from APPo, BOMA, CME, FRPO, GAPLO, LPMA, OGVG, SEC and VECC. CN did not file a cost claim.

On May 14 and 22, 2015, Union filed its response to the cost claims filed and stated that it had no objections to the cost claims from APPo, BOMA, CME, FRPO, GAPLO, LPMA, OGVG, SEC and VECC.

## Findings

The OEB considers that the claims filed by APPo, BOMA, CME, FRPO, GAPLO, LPMA, OGVG, SEC and VECC are generally compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB notes that APPrO is claiming costs for attendance at the settlement conference of two representatives, Ms. DeMarco and Mr. Wolnik. Where costs claims for settlement conference attendance are concerned, the OEB will generally only grant costs for one representative. The OEB will accordingly disallow the six hours of costs claimed for the attendance of Ms. DeMarco at the settlement conference.

The claim of GAPLO requires an adjustment to reduce it by \$5.14 to comply with the government's *Travel, Meal and Hospitality Expenses Directive* and to correct an error in the Statement of Disbursement.

The OEB finds that the claims of BOMA, CME, FRPO, LPMA, OGVG, SEC and VECC and the adjusted claims of APPrO and GAPLO are reasonable, subject to the reductions referred to above.

#### **THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the Act, Union shall immediately pay the following amounts to the intervenors for their costs:

• Association of Power Producers of Ontario	\$25,920.17
• Building Owners and Managers Association Greater Toronto	\$22,448.58
• Canadian Manufacturers and Exporters	\$39,333.44
• Federation of Rental-housing Providers of Ontario	\$5,034.15
• Gas Pipeline Landowners of Ontario	\$30,435.51
• London Property Management Association	\$9,210.63
• Ontario Greenhouse Vegetable Growers	\$5,034.15
• School Energy Coalition	\$7,722.42
• Vulnerable Energy Consumers Coalition	\$4,287.54

2. Pursuant to section 30 of the Act, Union shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

**DATED** at Toronto, June 29, 2015

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary