

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

**AND IN THE MATTER OF** an Application by *Union Gas Limited* for an order or orders approving the unbundling of certain rates charged by Union Gas Limited for the sale, distribution, transmission and storage of gas.

**BEFORE:**

Malcolm Jackson  
Presiding Member

George Dominy  
Member

Paul Sommerville  
Member

**DECISION on COSTS**

November 26, 2002

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# 1 The Application and Proceeding

Union Gas Limited (“Union”) filed an application, dated July 31, 2000 (the “Application”) with the Ontario Energy Board (the “Board”) for an order or orders approving the recovery through rates of the costs of further unbundling Union's rates to provide access to unbundled services by small volume customers, and for appropriate accounting or interim orders. The Board assigned this Application Board File No. RP-2000-0078. Union's pre-filed evidence in the case was filed October 23, 2000.

The Board issued a Notice of Application dated February 22, 2001. The Board decided to combine this proceeding with Union’s Customer Review Process proceeding RP-2001-0029 with respect to the issue of the Incremental Unbundling Costs Deferral Account (“IUCDA”). The oral hearing commenced on February 20, 2002 and was concluded on February 28, 2002. Union’s Argument-In-Chief was presented orally on March 13, 2002. Twelve intervenors filed argument by April 3, 2002. Union filed its Reply Argument on April 24, 2002.

The Board issued its Decision with Reasons dated July 31, 2002, and stated that its decision on costs would follow.

Intervenors seeking cost awards made submissions and provided supporting documentation in accordance with the Board’s procedures for cost awards.

# 2 Participants Claiming Costs

Below is a list of participants in RP-2000-0078 that claimed costs and filed appropriate submissions and supporting documentation:

- Coalition for Efficient Energy Distribution (“CEED”) 18
- The Convergence Group (“TCG”) 19
- Consumers’ Association of Canada (“CAC”) 20
- Vulnerable Energy Consumers’ Coalition (“VECC”) 21
- The Heating, Ventilation, Air Conditioning Contractors Coalition Inc. (“HVAC Coalition”) 22

- Industrial Gas Users Association (“IGUA”) 23
- London Property Management Association (“LPMA”) 24
- Wholesale Gas Purchasers Service Group (“WGPSG”) 25

### **3 Board Findings** 26

The Board has reviewed the submissions for an award of costs, any submissions of Union concerning the cost claims, and any responses by the claimants to Union’s submissions. 27

In the Board’s view, all intervenors that have claimed costs have conducted themselves responsibly and have assisted the Board in understanding both the application and aspects of the public interest which the Board has weighed in arriving at its decisions in respect of issues in this case. Therefore, the Board finds that each intervenor that has claimed costs should be awarded 100% of its reasonably incurred costs as determined by the Board’s Cost Assessment Officer. 28

### **4 Cost Orders** 29

Upon issuance of the Cost Orders, Union shall pay the costs awarded to each intervenor with due dispatch. Union shall also pay the Board’s costs upon receipt of the Board’s invoice. 30

**DATED** at Toronto, November 26, 2002

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Malcolm Jackson  
Presiding Member on behalf of the Hearing Panel