



EB-2007-0724
EB-2007-0725

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

AND IN THE MATTER OF a Notice of Proceeding on
Natural Gas Storage Allocation Policies issued by the
Ontario Energy Board on August 28, 2007.

Vary Order - Cost Awards

On April 29, 2008 the Board issued its Decision with Reasons (the “Decision”) in this proceeding. As part of its Decision, the Board awarded costs to various intervenors, including the Association of Power Producers of Ontario (“APPrO”) and the Industrial Gas Users Association (“IGUA”).

On May 27, 2008 APPrO filed a motion for a review and variance of the Decision requesting an extension in time for the filing of the notice of motion; an order permitting the Board to accept a supplemental cost claim form APPrO; and an order varying the cost claim of APPrO by an additional \$8,006.97, and requiring Union and Enbridge to pay the same to APPrO. In filed materials APPrO advised that through administrative inadvertence, certain legal fees which were incurred in the representation of APPrO in this proceeding were not included in the cost claim filed by APPrO on March 5, 2008.

On June 18, 2008, the Board received a supplemental cost claim from IGUA. The claim totalled \$6,976.28 and was related to work done by IGUA on the draft rate orders in the case, which were filed on May 29, 2008.

With respect to APPrO, the Board grants the request for an extension of time for the filing of the motion, accepts the supplemental cost claim from APPrO, and finds that the costs were incurred as a result of the hearing.

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With respect to the IGUA claim, the Board accepts the amount of the claim and finds that IGUA is eligible to collect 100% of the supplemental costs claimed.

The Board will therefore vary the Decision to order Union and Enbridge pay APPrO and IGUA their applied-for costs. Consistent with the Decision, these are to be paid 90% by Union and 10% by Enbridge.

THE BOARD ORDERS THAT:

1. The April 29, 2008 Decision with Reasons in this proceeding is varied to add the sum of \$8,066.97 to the cost claim of APPrO, and to require Union and Enbridge to immediately pay APPrO costs of \$7,260.28 and \$806.70 respectively.
2. The April 29, 2008 Decision with Reasons in this proceeding is varied to add the sum of \$6,976.28 to the cost claim of IGUA, and to require Union and Enbridge to immediately pay IGUA costs of \$6,278.65 and \$697.63 respectively.

DATED at Toronto, July 9, 2008.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary