



EB-2006-0034

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

AND IN THE MATTER OF an Application by
Enbridge Gas Distribution Inc. for an order or orders
approving or fixing just and reasonable rates and
other charges for the sale, distribution, transmission
and storage of gas commencing January 1, 2007.

BEFORE: Gordon Kaiser
Presiding Member and Vice Chair

Paul Vlahos
Member

Ken Quesnelle
Member

DECISION ON COST AWARDS – Phase I

2007 September 17

On July 5, 2007 the Ontario Energy Board (the “Board”) issued its Phase 1 Decision on an application by Enbridge Gas Distribution Inc. (“Enbridge”) fixing just and reasonable rates for the sale, distribution, transmission, and storage of gas for Enbridge’s 2007 fiscal year.

The Consumers Council of Canada (“CCC”), Industrial Gas Users Association (“IGUA”), Energy Probe Research Foundation (“Energy Probe”), Green Energy Coalition (“GEC”), Pollution Probe, Ontario Association of Physical Plant Administrators (“OAPPA”), Vulnerable Energy Consumers Coalition (“VECC”), and School Energy Coalition (“SEC”) intervened in the proceeding and were found to be eligible for award of costs. The Low Income Energy Network (“LIEN”) intervened in the proceeding and was found to be eligible for costs incurred up to a certain time for certain activities. The above named parties filed their cost claims with the Board and Enbridge. Enbridge did not object to these cost claims.

The Board finds CCC, IGUA, Energy Probe, GEC, Pollution Probe, OAPPA, VECC, SEC, and LIEN to be eligible for 100% of their costs for their participation in the Phase I portion of the proceeding. The Board also approves the claims as filed, subject to any adjustments by the Board’s Cost Assessment Officer for any contraventions from the Board’s guidelines on cost awards.

The HVAC Coalition intervened in the proceeding and although it was found ineligible for a cost award, it sought recovery of its costs. Enbridge did not comment on HVAC’s cost claim. In its letter to the HVAV Coalition dated October, 27, 2006 the Board found the HVAC Coalition to be ineligible for cost awards and set out the reasons for that decision in that letter. Having reviewed the HVAC Coalition’s explanation for filing its cost claim, and the Board’s October 27, 2006 decision and reasons for the HVAC Coalition’s ineligibility for a cost award, the Board confirms that decision. The Board therefore does not award costs to the HVAC Coalition.

The Board directs Enbridge to pay the costs of the eligible intervenors immediately upon receipt of the Board's cost orders.

The Board also directs Enbridge to pay the costs of the Board for this portion of the hearing upon receipt of the Board's invoice.

Dated at Toronto, 2007 September 17.

Ontario Energy Board

Original signed by

Gordon Kaiser
Presiding Member and Vice Chair

Original signed by

Paul Vlahos
Member

Original signed by

Ken Quesnelle
Member