



**EB-2008-0292**

**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 Union Gas Limited for an Order or Orders approving or fixing a multi-year incentive rate mechanism to determine rates for the regulated distribution, transmission and storage of natural gas, effective January 1, 2008.

**BEFORE:** Pamela Nowina  
Vice-Chair and Presiding Member

Paul Sommerville  
Member

David Balsillie  
Member

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

On August 28, 2008 Union Gas Limited ("Union Gas") filed a Notice of Motion ( the "Motion") for a review and variance of the Ontario Energy Board's (the "Board") Decision and Order ("Decision"), file number EB-2007-0605/0615, dated July 31, 2008, pursuant to Rule 44 of the Board's Rules of Practice and Procedure. The Motion requested clarification of certain Decision particulars pertaining to the Risk Management Program and the Treatment of Tax Changes, and if appropriate variance of the Decision.

The Board heard the Motion on November 10, 2008.

Canadian Manufacturers & Exporters (“CME”), the Consumers Council of Canada (“CCC”), Energy Probe Research Foundation (“Energy Probe”), the Industrial Gas Users Association (“IGUA”), the School Energy Coalition (“SEC”), and the Vulnerable Energy Consumers Coalition (“VECC”) received intervenor status and were deemed eligible to apply for an award of costs.

The Board, in its Decision on Motion issued on December 10, 2008, set out the process for eligible intervenors to file their cost claims.

The Board received cost claims from CME, CCC, Energy Probe, IGUA, SEC and VECC. Union Gas did not file any objections.

Based upon its review, the Board finds that the aforementioned intervenors are eligible for 100% of their costs.

**THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union Gas shall immediately pay:
  - CME \$9,120.17;
  - CCC \$2,888.55;
  - Energy Probe \$2,534.95;
  - IGUA \$3,909.76;
  - SEC \$4,762.00; and
  - VECC \$612.95.
  
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union Gas shall pay the Board’s costs of and incidental to, this proceeding immediately upon receipt of the Board’s invoice.

DATED at Toronto, January 26, 2009

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary