



EB-2009-0103

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 Enbridge Gas
Distribution Inc. for an order or orders approving certain
Demand Side Management input assumptions for the 2009
program year.

BEFORE: Paul Sommerville
Presiding Member

Cynthia Chaplin
Member

DECISION AND ORDER ON COST AWARDS

Enbridge Gas Distribution Inc. ("Enbridge") filed an application with the Ontario Energy Board, (the "Board") dated April 1, 2009 seeking approval of certain demand side management input assumptions for its 2009 program year. The Board assigned File No. EB-2009-0103 to this application.

The Canadian Manufacturers & Exporters ("CME"), the Energy Probe Research Foundation ("Energy Probe"), the Green Energy Coalition ("GEC"), the Industrial Gas Users Association ("IGUA"), the Vulnerable Energy Consumers Coalition ("VECC") and the School Energy Coalition ("SEC") received intervenor status and were deemed eligible to apply for an award of costs in this proceeding.

The Board issued its Decision and Order on June 29, 2009, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Enbridge.

The Board received cost claims from CME, Energy Probe, GEC, IGUA and SEC. On July 29, 2009, Enbridge filed a letter stating that it had no objection to CME's, Energy Probe's, GEC's, IGUA's and SEC's cost claims.

Board Findings

The Board has reviewed the cost claims filed by CME, Energy Probe, GEC, IGUA and SEC.

The Board has noted that SEC's cost claim for 20.70 hours is substantially higher than the claims filed by the other intervenors. Although the scope of SEC's comments and review was similar to that of other intervenors, SEC has claimed preparation and argument times which far exceed those of the other intervenors (CME claimed 4.40 hours, Energy Probe 5.00 hours, GEC 3.25 hours, IGUA 3.50 hours). Given the nature and scope of the proceeding, in the Board's view SEC's claim is excessive. The Board will award SEC an amount equal to the average cost claim of the other claimants and will also grant disbursements as claimed.

The Board finds CME, Energy Probe, GEC and IGUA are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that each party's claims are reasonable and will be reimbursed by Enbridge.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall immediately pay:
 - CME \$1,125.60;
 - Energy Probe \$1,455.50;
 - GEC \$1,126.13;
 - IGUA \$ 926.31; and
 - SEC \$1,156.42.

2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, September 30, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary