



**EB-2009-0275**

**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 or fixing just and  
reasonable rates and other charges for the sale, distribution,  
transmission and storage of gas effective January 1, 2010.

**BEFORE:** Gordon Kaiser  
Presiding Member and Vice Chair

Paul Sommerville  
Member

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

Union Gas Distribution Inc. ("Union") filed an Application on September 3, 2009 with the Ontario Energy Board ("Board") under section 36 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, (Sched. B), as amended, for an order of the Board approving or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2009. The Board assigned file number EB-2009-0275 to the Application.

In Procedural Order No. 1, the Board granted intervenor status for the Association of Power Producers of Ontario ("APPPO"); the Canadian Manufacturers & Exporters ("CME"); the Consumers Council of Canada ("CCC"); Energy Probe Research Foundation ("Energy Probe"); the Federation of Rental-housing Providers of Ontario ("FRPO"); the Industrial Gas Users Association ("IGUA"); the Ontario Association of Physical Plant Administrators ("OAPPA"); the London Property Management Association ("LPMA"); the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC"). The Board also awarded eligibility to all intervenors who requested cost award eligibility.

The Board issued its Decision and Order on the application on November 9, 2009, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by the Union.

The Board received cost claims from APPrO, CME, CCC, Energy Probe, FRPO, IGUA, OAPPA, SEC, VECC and LPMA. On December 11, 2009, Union filed comments stating that it had no objection to the cost claims submitted.

### **Board Findings**

The Board has reviewed the cost claimed from APPrO, CME, CCC, Energy Probe, FRPO, IGUA, OAPPA, SEC, VECC and LPMA. The Board finds that APPrO has transferred the costs incorrectly to Form 3 and has made the following adjustment:

- Total Adjusted Cost Claim for APPrO = \$3,223.51

The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that each party's claims, adjusted as described above, are reasonable and should be reimbursed by Union.

### **THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union shall pay:

- |  |                 |
|--|-----------------|
| • Association of Power Producers of Ontario            | \$3,223.51;     |
| • Canadian Manufacturers & Exporters                   | \$5,873.70;     |
| • Consumers Council of Canada                          | \$2,668.05;     |
| • Energy Probe Research Foundation                     | \$2,783.29;     |
| • Federation of Rental-housing Providers of Ontario    | \$2,079.00      |
| • Industrial Gas Users Association                     | \$1,541.40;     |
| • London Property Management Association               | \$1,675.07;     |
| • Ontario Association of Physical Plant Administrators | \$ 855.00;      |
| • School Energy Coalition                              | \$1,888.60; and |
| • Vulnerable Energy Consumers                          | \$1,014.75.     |

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

**DATED** at Toronto May 4, 2010.

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary