



**EB-2007-0731**

**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 the balance and clearance of the Class Action Suit Deferral Account;

**AND IN THE MATTER OF** an application by Enbridge Gas Distribution Inc. for an order or orders amending or varying the rates charged to customers for the sale, distribution, transmission and storage of gas commencing January 1, 2008.

**BEFORE:** Paul Vlahos  
Presiding Member  
  
Cynthia Chaplin  
Member

### **COST AWARD DECISION AND ORDER**

Enbridge Gas Distribution Inc. (“Enbridge” or “the Company”) filed an Application dated September 28, 2007 (the “Application”) with the Ontario Energy Board (the “Board”) under section 36 of the *Ontario Energy Board Act, 1998*, S.O.C.15, Sched. B, as amended, for an order of the Board approving the final balance in the 2007 Class Action Suit Deferral Account (“CASDA”) and the disposition of that balance.

The Board assigned file number EB-2007-0731 to the Application and issued a Notice of Application and Hearing dated October 26, 2007.

The Board's Decision and Order in this proceeding was issued on February 4, 2008 and made provision for the filing of cost claims by eligible intervenors.

Parties eligible for an award of costs submitted their cost claims by the deadline established for that purpose in the Board's February 4, 2008 Decision and Order. Cost claims were filed by the Consumers Council of Canada ("CCC"), the Industrial Gas User Association ("IGUA"), the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC").

On March 5, 2008, Enbridge filed a letter with the Board indicating that it found the claims to be consistent with the allowances of prescribed rates within the cost assessment guidelines and that it had no objection to the claims.

The Board awards CCC, IGUA, SEC and VECC 100% of their reasonably incurred costs. The amounts awarded reflect those claimed except as follows. In the case of the claims by SEC and VECC, the hourly rates submitted for legal counsel are reduced to accord with the years of practice, as set out in the Board's Practice Direction on Cost Awards.

**THEREFORE, THE BOARD ORDERS THAT:**

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge Gas Distribution Inc. shall immediately upon receipt of this Cost Award Decision and Order pay the listed parties below the noted amounts:

Consumers Council of Canada	<b>\$ 6,875.48</b>
Industrial Gas Users Association	<b>\$ 3,479.86</b>
School Energy Coalition	<b>\$ 3,119.50</b>
Vulnerable Energy Consumers Association	<b>\$ 6,309.90</b>

2. Enbridge Gas Distribution Inc. shall pay the Board's costs of, and incidental to, this proceeding immediately upon receipt of the Board's invoice.

**DATED** at Toronto, April 3, 2008.

*ONTARIO ENERGY BOARD*

*Original signed by*

Kirsten Walli  
Board Secretary