



EB-2007-0679

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c.15 (Schedule B);

AND IN THE MATTER OF a proceeding initiated by the
Ontario Energy Board to determine whether it should re-
establish the equivalent terms of the E.B.O. 166 Storage
Order for storage contracts between Union and its in-
franchise customers.

BEFORE: Gordon Kaiser
Vice-Chair and Presiding Member

Cynthia Chaplin
Member

Bill Rupert
Member

DECISION AND ORDER ON COST AWARDS

The Natural Gas Electricity Interface Review (“NGEIR”) proceeding, file number EB-2005-0551, was initiated by the Ontario Energy Board (the “Board”) to determine whether it should order new rates for the provision of natural gas, transmission, distribution and storage services to gas fired generators (and other qualified customers) and whether the Board should refrain from regulating the rates for storage of gas.

The Board held a hearing and issued its Decision with Reasons on the NGEIR proceeding on November 7, 2006. In its decision, the Board identified one of the implementation issues, with reference to Market Hub Partners Canada and Tribute Resources Inc., as follows:

Refrain from rate regulation and contract approval for third-party storage operators. The Board will rescind MHP Canada's and Tribute's Rates Orders.

The Board also noted, as part of refraining from requiring Board approval of storage contracts that it would rescind Blanket Storage Orders. On February 5, 2007 the Board issued an Order rescinding the Union Gas Limited ("Union") Blanket Storage Order (E.B.O. 166, as amended by the settlement in E.B.R.O. 499). On July 4 2007 Union wrote the Board and copied all parties in EB-2005-0551 requesting that the Board reestablish the equivalent terms of the E.B.O. 166 Storage Order for storage contracts between Union and its in-franchise customers.

The Board conducted a review of the Order rescinding Union's Blanket Storage Order, and particularly to consider whether an Order should be issued to allow the company to enter into storage contracts with in-franchise customers for volumes up to 2 Bcf for contract terms not exceeding 17 months without the prior approval of the Board.

The Industrial Gas Users Association ("IGUA") received intervenor status and was deemed eligible to apply for an award of costs.

The Board issued its Decision on the application on August 30, 2007, in which it set out the process for intervenors to file its cost claims and to respond to any objections raised by Union.

The Board received cost claims from IGUA. No comments were received from Union.

The Board finds that IGUA is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The Board finds that IGUA's claim is 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 immediately pay IGUA \$296.97.

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, August 6, 2008.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary