



EB-2010-0280

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

AND IN THE MATTER OF cost awards in relation to a
consultation process to develop customer service
standards for Natural Gas Distributors.

BEFORE Cynthia Chaplin
Member

DECISION AND ORDER ON COST AWARDS

June 5, 2013

Background

On September 21, 2010, the Ontario Energy Board issued a letter announcing the commencement of a consultation process to develop customer service standards and rules for gas distributors pertaining to residential and low-income customers (the “consultation”). The Board indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998* (the “Act”) to eligible participants and that costs awarded would be recovered from all rate-regulated natural gas distributors based on their respective distribution revenues.

The consultation proceeded in two phases. On September 6, 2012, the Board issued amendments to the Gas Distribution Access Rule relating to low income customer service standards thereby concluding the initial phase of this consultation. Cost claims in relation to the first phase of the consultation were addressed by the Board in its [February 4, 2013 Decision and Order on Cost Awards](#).

On March 28, 2013, the Board concluded the second phase of the consultation by issuing a Notice of Final Amendments to the Gas Reporting and Record Keeping Requirements. The amendments established reporting requirements in relation to the application of the new customer service rules for residential and eligible low-income customers.

Subsequently, on April 5, 2013 the Board issued a [Notice of Hearing on Cost Awards](#) (the “Notice”) pertaining to the second phase of this consultation. The Notice required participants to submit their cost claims no later than April 26, 2013. Rate-regulated natural gas distributors were given until May 3, 2013 to submit any objections to the claims filed. No objections were filed.

At the outset of the consultation, the Board, in its [October 28, 2010 Decision on Cost Eligibility](#), found the following participants to be eligible for an award of costs in respect of this consultation: Building Owners and Managers Association; Canadian Manufacturers and Exporters; Federation of Rental-Housing Providers of Ontario; London Property Management Association; Low-Income Energy Network (“LIEN”); and Vulnerable Energy Consumers Coalition. Only LIEN submitted a cost claim in relation to the second phase of the consultation.

Board Findings

The Board has reviewed LIEN’s cost claim for the second phase of the consultation and finds it to be within the overall limits set by the Board in the Notice. The Board therefore finds that LIEN is entitled to \$4101.90, which is 100% of its reasonably incurred costs of participating in this phase of the consultation process.

Process for Paying the Cost Awards

The amounts to be paid by each individual rate-regulated natural gas distributor in relation to the costs awarded to LIEN are as set out in Appendix A to this Decision and Order. However, the amounts will **not** be paid directly by the distributor to LIEN.

The Board will use the process set out in section 12 of the Practice Direction on Cost Awards to implement the payment of the cost awards. Therefore, the Board will act as

a clearing house for all payments of cost awards relating to this consultation process. Invoices will be issued to distributors at the same time as the invoices for cost assessments are made under section 26 of the Act. The practice of the Board is to issue to each rate-regulated licensed natural gas distributor one invoice that covers all cost awards payable by the distributor for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations, including this one.

THE BOARD THEREFORE ORDERS THAT:

1. The individual distributors listed in **Appendix A** to this Decision and Order shall pay the costs awarded to LIEN as set out in **Appendix A**. These amounts are NOT to be paid directly by the distributor to LIEN.
2. The individual distributors listed in **Appendix A** to this Decision and Order shall pay the Board's costs of, and incidental to, this consultation.
3. Payment of costs awarded to LIEN and of the Board's costs, referred to in paragraphs 1 and 2 above, shall be made directly to the Ontario Energy Board in accordance with the invoice issued to the individual distributor, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto, June 5, 2013
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

Gas Distributor, Transmitter, Storage Company	LIEN	Total
Enbridge Gas Distribution	\$ 2,108.40	\$ 2,108.40
Union Gas	\$ 1,982.84	\$ 1,982.84
Natural Resource Gas	\$ 10.66	\$ 10.66

\$ 4,101.90 \$ 4,101.90