



**EB-2011-0025**

**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 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, 2012.

**BEFORE:** Karen Taylor  
Presiding Member

Marika Hare  
Member

**DECISION AND ORDER ON COST AWARDS**  
**April 5, 2012**

**Background**

Union Gas Limited (“Union”) filed an application on September 6, 2011 with the Ontario Energy Board (the “Board”) under section 36 of the *Ontario Energy Board Act*, 1998 for an order of the Board approving or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2012 (the “Application”). The Board assigned File Number EB-2011-0025 to the application.

On October 12, 2011, the Board issued its Procedural Order No. 1, granting intervenor status and cost award eligibility to the following parties:

- Association of Power Producers of Ontario (“APPPrO”);
- Building Owners and Managers Association Toronto (“BOMA”);
- Canadian Manufacturers and Exporters (“CME”);
- Consumers Council of Canada (“CCC”);
- Energy Probe;
- Federation of Rental-housing Providers of Ontario (“FRPO”);
- Industrial Gas Users Association (“IGUA”);
- London Property Management Association (“LPMA”);
- Ontario Association of Physical Plant Administrators (“OAPPA”);
- Pollution Probe; and
- Vulnerable Energy Consumers Coalition (“VECC”).

On October 20, 2011, the Board issued its Procedural Order No. 2, granting the School Energy Coalition (“SEC”) intervenor and cost award eligibility status.

On February 23, 2012, the Board issued its Partial Decision and Order, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Union.

The Board received cost claims from APPPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OAPPA, SEC and VECC. Pollution Probe did not file a cost claim. No comments were received from Union.

## **Board Findings**

The Board has reviewed the cost claims of APPPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OAPPA, SEC and VECC to ensure they were compliant with the Board’s *Practice Direction on Cost Awards*.

The Board finds that APPPrO’s cost claim includes travel costs that do not comply with the Board’s *Practice Direction on Cost Awards*. The Board has therefore made an adjustment to reduce the travel costs by \$94.92. The Board notes that APPPrO’s total revised claim is \$8,545.60.

The Board finds that CME's cost claim includes disbursement for meals that did not comply with the Board's *Practice Direction on Cost Awards*. The Board has therefore made an adjustment to reduce the disbursements by \$38.05. The Board notes that CME's total revised claim is \$24,590.65.

The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding subject to the adjustments referenced above. The Board finds that each party's claim, adjusted as described above, 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:
  - Association of Power Producers of Ontario \$8,545.60;
  - Building Owners and Managers Association Toronto \$19,096.31;
  - Canadian Manufacturers and Exporters \$24,590.65;
  - Consumers Council of Canada \$10,254.75;
  - Energy Probe \$10,936.28;
  - Federation of Rental-housing Providers of Ontario \$12,790.60;
  - Industrial Gas Users Association \$6,795.06;
  - London Property Management Association \$5,318.85;
  - Ontario Association of Physical Plant Administrators \$1,235.00;
  - School Energy Coalition \$9,834.00; and
  - Vulnerable Energy Consumers Coalition \$9,510.51.
  
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, April 5, 2012.

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary