



EB-2009-0101

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 amending or varying the rate or rates charged to customers as of July 1, 2009 in connection with the sharing of 2008 earnings under the incentive rate mechanism approved by the Ontario Energy Board on January 17, 2008.

BEFORE: Gordon Kaiser
Presiding Member and Chair

Paul Sommerville
Member

Paul Vlahos
Member

DECISION AND ORDER ON COST AWARDS

Union Gas Distribution Inc. ("Union") filed an Application on April 2, 2009 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 amending or varying the rate or rates charged to customers as of July 1, 2009, in connection with the sharing of 2008 earnings under the incentive rate mechanism approved by the

Board on January 17, 2008. The Board has assigned file number EB-2009-0101 to the Application.

On June 18, 2009, the Board issued its Decision and Rate Order which also set out the process for eligible intervenors to file their cost claims and to respond to any objections raised by Union.

The Board received cost claims from Canadian Manufacturers & Exporters (“CME”), the City of Timmins, the Consumers Council of Canada (“CCC”), Energy Probe Research Foundation (“Energy Probe”), the Federation of Rental-Housing Providers of Ontario (“FRPO”), the London Property Management Association (“LPMA”), the School Energy Coalition (“SEC”) and the Vulnerable Energy Consumers Coalition (“VECC”).

The Industrial Gas Users Association (“IGUA”) filed its cost claim 7 days after the due date set by the Board.

Union did not file any objections or comments with the Board on the filed cost claims.

The Board has reviewed the cost claims and has made the following adjustments:

- CME’s cost claim is reduced by \$29.30 for a disbursement that is not in accordance with the Board’s Practice Direction on Cost Awards;
- FRPO’s cost claim is reduced by \$15.79 for a disbursement not supported by receipts; and
- IGUA’s cost claim is reduced by \$81.49 for a disbursement not supported by receipts.

After reviewing and considering the cost claims filed by the intervenors, the Board awards all intervenors 100% of their claimed costs, as adjusted above.

THE BOARD THEREFORE ORDERS THAT:

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

- CME \$31,249.04
- City of Timmins \$13,167.01
- CCC \$10,179.86
- Energy Probe \$ 8,857.02
- FRPO \$16,515.32
- IGUA \$13,865.63
- LPMA \$ 9,210.72
- SEC \$11,237.20
- VECC \$ 7,930.96

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

DATED at Toronto, August 18, 2009.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary