



**EB-2011-0008**

**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 clearance or disposition of amounts recorded in  
certain deferral or variance accounts.

**BEFORE:** Ken Quesnelle  
Presiding Member

Cathy Spoel  
Member

## **DECISION AND ORDER ON COST AWARDS**

### **Background**

Enbridge Gas Distribution Inc. ("Enbridge") filed an application dated April 20, 2011 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 or orders approving the disposition of balances in certain deferral or variance accounts.

On May 13, 2011, the Board issued its Notice of Application & Procedural Order No. 1, stating that parties eligible for costs awards in the EB-2010-0146 proceeding were eligible for costs in the current proceeding.

The Board issued its Decision and Order on July 22, 2011, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Enbridge.

The Association of Power Producers of Ontario (“APPPrO”), Building Owners and Managers Association of Greater Toronto (“BOMA”), Canadian Manufacturers and Exporters (“CME”), Consumers Council of Canada (“CCC”), Energy Probe Research Foundation (“Energy Probe”), Federation of Rental-housing Providers of Ontario (“FRPO”) and Industrial Gas Users Association (“IGUA”) filed cost claims by the August 19, 2011 deadline of as specified in the Decision and Order.

On August 23, 2011, the Vulnerable Energy Consumers Coalition (“VECC”) filed its cost claim and on September 7, 2011, the School Energy Coalition (“SEC”) filed its cost claim.

By a letter dated August 26, 2011, Enbridge stated that it finds APPPrO’s, BOMA’s, CME’s, CCC’s, Energy Probe’s, FRPO’s, IGUA’s and VECC’s cost claims to be consistent with the allowances of prescribed rates within the cost assessment guidelines. By another letter dated September 8, 2011, Enbridge stated that it finds SEC’s cost claim to be within tolerance of the guidelines.

## **Board Findings**

The Board has reviewed APPPrO’s, BOMA’s, CME’s, CCC’s, Energy Probe’s, FRPO’s, IGUA’s, SEC’s and VECC’s cost claims.

Due to a calculation error on Form 3, the Board has adjusted VECC’s cost claim by \$0.60. VECC’s total revised claim is \$4,863.35.

The Board finds that BOMA’s and FRPO’s cost claims include disbursements for meals that do not comply with the OEB’s *Practice Direction on Cost Awards*. The Board has therefore made these adjustments to BOMA’s and FRPO’s costs.

The Board finds that APPPrO, CME, CCC, Energy Probe, IGUA and SEC are eligible to recover 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that APPPrO, CME, CCC, Energy Probe, IGUA and SEC claims are reasonable as are the adjusted claims of BOMA, FRPO and VECC and shall be reimbursed by Enbridge.

**THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, Enbridge shall immediately pay:
  - Association of Power Producers of Ontario \$7,452.36;
  - Building Owners and Managers Association of Greater Toronto \$3,969.57;
  - Canadian Manufacturers and Exporters \$12,575.48;
  - Consumers Council of Canada \$8,390.25;
  - Energy Probe Research Foundation \$4,587.54;
  - Federation of Rental-housing Providers of Ontario \$8,219.46;
  - Industrial Gas Users Association \$4,933.53;
  - School Energy Coalition \$5,709.00; and
  - Vulnerable Energy Consumers Coalition \$4,863.35.
  
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

**DATED** at Toronto, September 19, 2011.

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary