



EB-2005-0201

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, pursuant to subsection 90(1), for an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Township of Brooke-Alvinston, the Township of Adelaide-Metcalf and the Township of Strathroy-Caradoc and in the City of Hamilton, the City of Burlington and the Town of Milton.

BEFORE: Paul Sommerville
Presiding Member

DECISION AND ORDER ON COST AWARDS

Background

An application dated February 8, 2005 (the Application) had been filed by Union Gas Limited ("Union") with the Ontario Energy Board (the "Board" under section 90 of the *Ontario Energy Board Act, 1998* (the "Act") seeking an Order or Orders of the Board granting leave to construct two sections of natural gas pipeline along with associated compressor station modifications. The Application was assigned Board File No. EB-2005-0201. The Board granted the Application by way of Oral Decision rendered on June 28, 2005. The Leave to Construct Order was issued on July 6, 2005. By an administrative omission the cost award part of the process was not completed at that time.

The registered intervenors in the proceeding were: Alberta Northeast Gas Limited; Enbridge Gas Distribution Inc.; Kitchener Utilities; London Property Management Association; Ontario Power Generation; TransCanada Energy Ltd.; TransCanada Pipelines Limited; Twin Elm Estates Ltd.; Vulnerable Energy Consumer Coalition (“VECC”); Federation of Northern Ontario Municipalities (“FONOM”).

The following intervenors were granted eligibility to apply for cost award: VECC and FONOM.

On September 26, 2011, the Board issued Procedural Order No. 2, in which it set out the process for VECC and FONOM to file their cost claims and to respond to any objections raised by Union.

On October 4, 2011, VECC refiled its cost claim. FONOM did not file any cost claim.

On October 14, 2011, Union filed a letter stating that it had no objections to VECC’s cost claim.

Board Findings

The Board reviewed the cost claim of VECC.

The cost claim filed by Mr. M. Janigan included a \$39.58 expense for meals that does not comply with the OEB’s *Practice Direction on Cost Awards*. The Board has therefore made an adjustment to remove this amount.

Due to a calculating error on Form 1, the Board has adjusted Ms. Joyce Poon’s cost claim by \$108.67. The total revised claim is \$3,260.25.

With respect to disbursements, the Board has adjusted the cost claim due to a calculation error of the GST for taxi and accommodation.

The revised total cost claim for VECC is \$8,520.67.

The Board finds that VECC is eligible to recover 100% of its reasonably incurred costs of participating in this proceeding. The Board finds that VECC’s claim, adjusted as described above, is reasonable and that shall 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 the Vulnerable Energy Consumers Coalition \$8,520.67.
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, November 9, 2011.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary