



**EB-2010-0055**

**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 its 2011 Demand  
Side Management Plan.

**BEFORE:** Marika Hare  
Presiding Member

Paula Conboy  
Member

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

### **Background**

Union Gas Limited ("Union") filed an application with the Ontario Energy Board (the "Board") dated April 30, 2010, seeking an order granting approval of its 2011 Natural Gas Demand Side Management ("DSM") plan. The Board assigned the Application file number EB-2010-0055.

On June 15, 2010, the Board issued its Procedural Order No. 1, granting the Industrial Gas Users Association ("IGUA") and the Vulnerable Energy Consumers Coalition ("VECC") intervenor status and cost awards eligibility and intervention status to Enbridge Gas Distribution Inc. and the City of Kitchener.

On July 16, 2010, the Board confirmed Low-Income Energy Network ("LIEN") as a late intervenor in the proceeding. The Board also determined that LIEN is eligible for cost awards.

On September 9, 2010, the Board issued its Decision and Order approving Union's application for its 2011 DSM plan. In its Decision and Order, the Board stated that it expected Union to file an amendment to its 2011 DSM plan which recognizes the government's policy with respect to increased conservation programs for low income consumers, as expeditiously as possible.

On November 10, 2010, Union filed an amendment to its application dated May 28, 2010, seeking approval of its 2011 DSM plan. On November 26, 2010, the Board issued its Procedural Order No. 2 directing Union to serve a copy of its low income amendment to its DSM plan on all intervenors in the current 2011 DSM plan proceeding.

The Board issued its Decision on the application on December 20, 2010, 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 LIEN and IGUA. VECC did not submit a cost claim. Union filed a letter on January 12, 2011 stating that it had no concerns with the cost claims submitted.

### **Board Findings**

The Board has reviewed the claims filed by LIEN and IGUA. The Board finds that LIEN and IGUA are eligible to recover 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that LIEN's claim and IGUA's claim are reasonable and 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:
  - Low-Income Energy Network \$757.10; and
  - Industrial Gas Users Association \$681.30.

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, February 11, 2011

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary