



EB-2012-0226
EB-2012-0227

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 pursuant to Section 90 of the *Ontario Energy Board Act, 1998*, granting leave to construct natural gas pipelines in the City of Thunder Bay and Gorham Township, in the District of Thunder Bay;

AND IN THE MATTER OF an Application by Union Gas Limited for a Certificate of Public Convenience and Necessity to construct works to supply gas to the inhabitants of Gorham Township.

BEFORE: Cathy Spoel
Presiding Member

DECISION AND ORDER ON COST AWARDS
May 24, 2013

Background

Union Gas Limited ("Union") filed two applications with the Ontario Energy Board (the "Board") on April 30, 2012 requesting, 1) a leave to construct a natural gas pipeline and ancillary facilities and, 2) a Certificate of Public Convenience and Necessity ("CPCN") for Gorham Township. The applications were filed together. The Board assigned the leave to construct application file number EB-2012-0226 and assigned file number EB-2012-0227 to the CPCN application.

On August 9, 2012, the Board issued Procedural Order No. 1, granting Thunder Bay Terminals Limited (“TBTL”) intervenor status and cost award eligibility.

On November 19, 2012 Union requested that its Leave to Construct Application (EB-2012-0226) be revised as a result of the discontinuation of the conversion of the coal fired Thunder Bay Generating Station to natural gas. As a result, Union withdrew the proposal for a pipeline to supply gas to the Thunder Bay Generating Station. After November 19, 2012, the TBTL had no direct interest in the EB-2012-0226 proceeding and was not active as an intervenor. It is noted that the TBTL appropriately claimed costs incurred prior to November 19, 2012.

On March 28, 2013, the Board issued its Decision and Order.

On April 3, 2013, the Board received TBTL’s cost claim. No comments were received from Union.

Board Findings

The Board has reviewed TBTL’s cost claim. The Board finds that TBTL is eligible for 100% of its reasonably incurred costs of participating in this proceeding. The claim of TBTL has been subject to a minor reduction for lack of receipt. The Board finds that TBTL’s adjusted claim is 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 Thunder Bay Terminals Limited \$7,345.77.
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, May 24, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary