



**EB-2010-0042**

**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:** Paul Sommerville  
Presiding Member

Paula Conboy  
Member

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

### **Background**

Enbridge Gas Distribution Inc. ("Enbridge") filed an application, dated April 16, 2010, with the Ontario Energy Board (the "Board") under section 36 of the Ontario Energy Board Act, S.O. 1998, c.15, Schedule B for an order approving the disposition of balances in certain deferral or variance accounts. The Board assigned File No. EB-2010-0042 to this application.

On May 6, 2010, the Board issued its Notice of Application & Procedural Order No. 1 stating that it will adopt the List of Intervenors approved in the current Enbridge 2010 IRM proceeding (Board File No. EB-2009-0172). The Notice also stated that parties

deemed eligible for an award of costs in the EB-2009-0172 proceeding shall also be eligible to claim an award of costs in this proceeding.

The Board issued its Decision and Order on the application on November 10, 2010, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Enbridge.

The Board received cost claims from Vulnerable Energy Consumers Coalition (“VECC”), Energy Probe Research Foundation (“Energy Probe”), Canadian Manufacturers & Exporters (“CME”) and Building Owners and Managers Association (“BOMA”) by the November 22, 2010 deadline as specified in the Decision and Order. Consumer Council of Canada’s cost claim (“CCC”) was received on November 24, 2010, School Energy Coalition’s cost claim (“SEC”) was received on November 26, 2010 and Industrial Gas Users Association’s (“IGUA”) cost claim was received on December 1, 2010.

Enbridge filed a letter on November 26, November 29 and December 3, 2010 stating that it found all cost claims to be within tolerances of the guidelines.

### **Board Findings**

The Board reviewed the claims filed by VECC, Energy Probe, CME, BOMA, CCC, SEC and IGUA. The Board has made one adjustment to SEC’s cost claim. The Board notes that the total amount on Form 1 filed by SEC does not match with the information filed on its Form 3. This claim was reduced by \$470.00 to match the information filed on Form 3 with the cost claim.

The Board finds that VECC, Energy Probe, CME, BOMA, CCC and IGUA are eligible to recover 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that SEC’s claim, adjusted as described above, is reasonable 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:

• Vulnerable Energy Consumers Coalition	\$7,294.21;
• Energy Probe Research Foundation	\$5,410.06;
• Canadian Manufacturers & Exporters	\$12,371.78;
• Building Owners and Managers Association	\$7,166.12;
• Consumer Council of Canada	\$7,048.80;
• School Energy Coalition	\$16,368.00; and
• Industrial Gas Users Association	\$7,814.92

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, December 15, 2010.

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary