



EB-2007-0717

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Sched. B;

AND IN THE MATTER OF an Application from Union Gas
Limited for approval of the parties to, the period of, and the
storage that is the subject of a T1 Gas Storage and
Distribution Contract with LANXESS Inc.

BEFORE: Bill Rupert
Board Member

DECISION AND ORDER ON COST AWARDS

Union Gas Limited ("Union") filed an Application, dated August 8, 2007, with the Ontario Energy Board under section 39 (2) of the *Ontario Energy Board Act, 1998* (the "Act") for an order of the Board approving the parties to, the period of, and the space for storage that is the subject of a T1 Gas Storage and Distribution Contract with LANXESS Inc.

On August 24, 2007, the Board issued a Notice of Application which was served by Union on various interested parties as directed by the Board.

The City of Kitchener and the Industrial Gas Users Association ("IGUA") applied for and were granted intervenor status. IGUA also applied for and was granted eligibility to apply for an award of costs.

The Board proceeded with this application by way of a written hearing.

On December 12, 2007, the Board issued its Decision and Order in the proceeding and directed the eligible parties to file their cost claims with the Board with a copy to Union by January 4, 2008, in accordance with Section 10 of the Board's Practice Direction on Cost Awards. Union had until January 18, 2008 to object to any aspect of the costs claimed. Any party whose cost claim was objected to was to have until February 1, 2008 to make a reply submission as to why their cost claim should be allowed.

On December 31, 2007, IGUA filed a copy of their cost claim with the Board and served a copy upon Union. Union did not file an objection to the cost claim.

The Board has reviewed the cost claim from IGUA and has found IGUA to be entitled to 100% of its reasonably incurred costs of participating in this proceeding. The Board also finds that the cost claim to be reasonable and approves it.

THE BOARD THEREFORE ORDERS THAT:

- Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union Gas Limited shall immediately pay Industrial Gas Users Association its cost equal to \$2,320.52.

DATED at Toronto on April 30, 2008

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary