



**EB-2008-0411**

**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 section 43(1) of the Act, for an Order or Orders granting leave to sell 11.7 kilometers of natural gas pipeline running between the St. Clair Valve Site and Bickford Compressor Site in the Township of St. Clair, all in the Province of Ontario.

**BEFORE:** Gordon Kaiser  
Vice Chair and Presiding Member

Cynthia Chaplin  
Member

Cathy Spoel  
Member

## **DECISION AND ORDER ON COST AWARDS FOR PHASE II**

On December 23, 2008, Union Gas Limited (“Union”) filed an application with the Ontario Energy Board (the “OEB”) under section 43(1) of the Ontario Energy Board Act, 1998 seeking an order from the Board granting leave to sell 11.7 kilometers of 24 inch diameter steel natural gas pipeline running between the St. Clair Valve Site and the Bickford Compressor Site in the Township of St. Clair. The Board has assigned File Number EB-2008-0411 to this application.

A Notice of Application dated February 3, 2009, was served and published by Union Gas as directed by the Board. The following parties were given intervenor status in this proceeding: Bluewater Gas Storage; Canadian Manufacturers & Exporters (“CME”); Dawn Gateway Pipeline L.P. (“DGPL”); Enbridge Gas Distribution Inc.; Federation of

Rental-Housing Providers of Ontario (“FRPO”); GAPLO-Union (a group of landowners) and the Canadian Association of Energy and Pipeline Landowners’ Association and certain landowners who are affected directly by the current application (collectively “GAPLO/CAEPLA”); Market Hub Partners Canada L.P.; Shell Energy North America Inc.; St. Clair Pipelines L.P.; and TransCanada Pipelines Limited (“TransCanada”). Nexen Marketing and Ontario Power Generation were given observer status in this proceeding. CME, FRPO, and GAPLO/CAEPLA were deemed eligible for cost awards.

In Procedural Order No. 5, issued December 7, 2009, the Board stated that due to the expected length of this proceeding, it will divide the proceeding into two phases for the purpose of cost awards; (1) costs incurred up to and including November 30, 2009; (2) costs incurred from December 1, 2009 until the conclusion of the proceeding. The Decision and Order on Cost Awards for Phase I was issued on February 24, 2010.

The Board received Phase II cost claims from CME and FRPO. On May 27, 2010, Board Staff asked CME for supporting receipts to complete the cost claim filing. CME filed the supporting receipts on the same day. No objections were received from Union.

### **Board Findings**

The Board reviewed the claims filed by CME and FRPO. The Board finds that both parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that each party’s claim is reasonable and should 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:
  - Federation of Rental-Housing Providers of Ontario                      \$ 9,875.25; and
  - Canadian Manufacturers & Exporters    \$15,998.00.
  
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, June 16, 2010

ONTARIO ENERGY BOARD

*Original signed by*

Kirsten Walli  
Board Secretary