



EB-2008-0313

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

AND IN THE MATTER OF cost awards in relation to the
provision of comments on proposed amendments to the
Gas Distribution Access Rule to provide a standardized
regulatory framework for the collection and administration
of security deposits.

BEFORE Cynthia Chaplin
Presiding Member

Ken Quesnelle
Member

DECISION AND ORDER ON COST AWARDS

Background

On October 8, 2008, the Ontario Energy Board (the “Board”) initiated a notice and comment process to amend the Gas Distribution Access Rule (the “GDAR”) to provide a standardized regulatory framework for the collection and administration of security deposits by gas distributors (the “Notice”). In the Notice, the Board stated that cost awards would be available to eligible persons, to a maximum of 20 hours, under section 30 of the *Ontario Energy Board Act, 1998* (the “Act”), and that the costs awarded would be recovered from all rate-regulated gas distributors based on their respective distribution revenues.

In accordance with the Board’s November 12, 2008 Decision on Cost Eligibility, the following participants were found to be eligible for an award of costs in this process:

Canadian Manufacturers & Exporters (“CME”); Industrial Gas Users Association (“IGUA”); School Energy Coalition (“SEC”); and Vulnerable Energy Consumers Coalition (“VECC”).

On July 17, 2009, the Board issued a Notice of Termination indicating that the notice and comment process on the proposed amendments to the GDAR was being terminated.

On July 24, 2009, the Board issued its Notice of Hearing for Cost Awards in relation to the notice and comment process on the proposed amendments to the GDAR (the “July Notice”).

Cost claims were submitted by the following participants by the August 12, 2009 deadline specified for that purpose in the July Notice: CME; IGUA; and SEC (collectively, the “eligible participants”). No cost claims were submitted by VECC.

One gas distributor filed a letter indicating that the cost claims are in keeping with the July Notice and the Board’s *Practice Direction on Cost Awards*. No objections to the cost claims as filed were received by the Board from any rate-regulated gas distributor.

Board Findings on the Cost Claims of the Eligible Participants

The cost claims submitted by the eligible participants are in accordance with the Notice and the July Notice. The Board finds that each of the eligible participants is entitled to 100% of its reasonably incurred costs of participating in this notice and comment process.

The amount payable by each rate-regulated gas distributor in relation to costs awarded to each eligible participant is listed in Appendix A to this Decision and Order.

Process for Paying the Cost Awards

In both the Notice and the July Notice, the Board indicated that it would act as a clearing house for all payments of cost awards. The Board has now determined, however, that in the circumstances of this consultation it is more efficient and expedient for the cost awards to be paid directly by the gas distributors to the eligible participants that filed cost claims.

THE BOARD THEREFORE ORDERS THAT:

1. Enbridge Gas Distribution Inc., Union Gas Limited and Natural Resource Gas Limited shall immediately pay the costs awarded to each of the eligible participants, as set out in Appendix A attached to this Decision and Order.

DATED at Toronto, April 8, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

To the Board's Decision and Order on Cost Awards

Dated April 8, 2010

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Proposed Amendments to the GDAR in relation to Security Deposits

	Rate-Regulated Gas Distributor	CME	IGUA	SEC	TOTAL
1.	ENBRIDGE GAS DISTRIBUTION INC.	\$1,039.69	\$3,348.81	\$1,456.13	\$5,844.63
2.	UNION GAS	\$852.50	\$2,745.87	\$1,193.96	\$4,792.34
3.	NATURAL RESOURCES GAS LTD.	\$4.36	\$14.05	\$6.11	\$24.52
	TOTALS	\$1,896.56	\$6,108.73	\$2,656.20	\$10,661.49