



**EB-2013-0046**

**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:** Paula Conboy  
Presiding Member

Ken Quesnelle  
Member

**DECISION AND ORDER ON COST AWARDS**  
**March 24, 2014**

**Background**

Enbridge Gas Distribution Inc. (“Enbridge”) filed an application dated May 24, 2013 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.

On June 13, 2013, the Board issued Notice of Application & Procedural Order No. 1, granting the parties in Enbridge’s 2013 Cost of Service proceeding (EB-2011-0354) intervenor status and cost award eligibility.

On February 6, 2014, the Board issued its Decision and Order, in which it set out the process for intervenors to file their cost claims, for Enbridge to object to the claims and for intervenors to respond to any objections raised by Enbridge.

On March 7, 2014, the Board issued its Rate Order.

Cost claims were submitted by the Building Owners and Managers Association ("BOMA"), Canadian Manufacturers & Exporters ("CME"), Consumers Council of Canada ("CCC"), Energy Probe Research Association ("Energy Probe"), Federation of Rental-housing Providers of Ontario ("FRPO"), Industrial Gas Users Association ("IGUA") and School Energy Coalition ("SEC") by the February 20, 2014 deadline specified in the Decision and Order. The Vulnerable Energy Consumers Coalition ("VECC") submitted its cost claim on February 27, 2014.

On February 27, February 28 and March 5, 2014, Enbridge filed its responses to the cost claims filed by BOMA, CME, CCC, Energy Probe, FRPO, IGUA, SEC and VECC and stated that it had no objections to the cost claims.

## **Board Findings**

The Board has reviewed all the cost claims.

Based on the cost claim filed, Mr. Aiken, consultant to Energy Probe, attended 5 hours of settlement conference in this proceeding. Mr. MacIntosh, also consultant to Energy Probe, attended 5 hours of settlement conference. The Board assumes that the respective roles of Mr. Aiken and Mr. MacIntosh are different, and that more than one representative from an intervenor group can attend the settlement conference, if desired. Nevertheless, the Board finds that the applicant should only be responsible for paying the costs of one representative. It is clear that in this case Mr. Aiken was the primary Energy Probe consultant attending the settlement conference. The Board will therefore approve 5 total hours of attendance at the settlement conference for Energy Probe. Energy Probe's claim is reduced by \$1,544.25 (\$1,450 + \$94.25 HST).

The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. Energy Probe's claim requires a further minor reduction to due to a calculation error. Each of the claims of CME and FRPO require a

minor reduction to comply with the government's *Travel, Meal and Hospitality Expenses Directive*. The Board finds that the claims of BOMA, CCC, FRPO, IGUA, SEC and VECC and the adjusted claims of Energy Probe and CME are reasonable and that each of these claims 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 the following amounts to the intervenors for their costs:
  - Building Owners and Managers Association \$19,017.90;
  - Canadian Manufacturers & Exporters \$26,459.99;
  - Consumers Council of Canada \$8,203.80;
  - Energy Probe Research Association \$8,720.42;
  - Federation of Rental-housing Providers of Ontario \$17,654.36;
  - Industrial Gas Users Association \$3,503.29;
  - School Energy Coalition \$9,239.00; and
  - Vulnerable Energy Consumers Coalition \$5,831.03.
  
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, March 24, 2014

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary