



EB-2012-0459

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 or fixing
rates for the sale, distribution, transmission and storage of
gas commencing January 1, 2014.

BEFORE: Emad Elsayed
Presiding Member

DECISION AND ORDER ON COST AWARDS
October 6, 2014

Background

Enbridge Gas Distribution Inc. (“Enbridge”) filed an application dated July 3, 2013 with the Ontario Energy Board (the “Board”) under section 36 of the *Ontario Energy Board Act, 1998* for an order or orders approving rates for a five year period commencing January 1, 2014.

On August 27, 2013, the Board issued Procedural Order No. 1, granting the Association of Power Producers of Ontario (“APPrO”), Building Owners and Managers Association Toronto (“BOMA”), Canadian Manufacturers & Exporters (“CME”), Consumers Council of Canada (“CCC”), Energy Probe Research Foundation (“Energy Probe”), Federation of Rental-housing Providers of Ontario (“FRPO”), Industrial Gas Users Association (“IGUA”), Ontario Association of Physical Plant Administrators (“OAPPA”), School Energy Coalition (“SEC”) and Vulnerable Energy Consumers Coalition (“VECC”) intervenor status and cost award eligibility.

On August 22, 2014, the Board issued its Decision and Rate 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.

The Board received cost claims from APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, SEC and VECC. On September 11, 2014, OAPPA informed the Board that it will not be filing a cost claim.

No objections were received from Enbridge in respect of any of the costs claimed.

Board Findings

The Board has reviewed the cost claims of APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, SEC and VECC to ensure that they are compliant with the *Board's Practice Direction on Cost Awards*.

The Board finds that APPrO's travel cost claim is not in accordance with the *Practice Direction on Cost Awards* as it does not incorporate use of the least cost travel alternative (a business class train ticket was purchased instead of economy class). The Board has given notice that it would only award reimbursement for the amounts allowed under the government's *Travel, Meal and Hospitality Expenses Directive*. The Board has accordingly reduced APPrO's claim by \$394.90.

VECC's claim includes a flight charge for \$359.76 for February 28, 2014. On September 15, 2014, Mr. Janigan of VECC sent an e-mail to the Board requesting that this amount be removed. The Board has made another adjustment of \$8.07 to VECC's claim due to failure to comply with the government's *Travel, Meal and Hospitality Expenses Directive*.

The claims of CME, Energy Probe and FRPO each require a minor reduction either due to an error in calculation or for failure to comply with the government's *Travel, Meal and Hospitality Expenses Directive*.

OAPPA did not submit a cost claim.

The Board finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. Therefore, the claims of CCC, IGUA, BOMA and

SEC and the adjusted claims of APPrO, CME, Energy Probe, FRPO and VECC 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:
 - Association of Power Producers of Ontario \$192,584.21,
 - Building Owners and Managers Association \$174,456.17;
 - Canadian Manufacturers & Exporters \$179,285.38;
 - Consumers Council of Canada \$94,343.70;
 - Energy Probe Research Foundation \$106,514.17;
 - Federation of Rental-housing Providers of Ontario \$117,910.57;
 - Industrial Gas Users Association \$51,155.98;
 - School Energy Coalition \$227,160.51;and
 - Vulnerable Energy Consumer's Coalition \$83,369.53.

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, October 6, 2014

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary