



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

DECISION AND ORDER ON COST AWARDS

EB-2019-0172

ENBRIDGE GAS INC.

Application for approval to construct a natural gas pipeline and associated facilities in the Municipality of Chatham-Kent and the Towns of Lakeshore and Tecumseh

BEFORE: Michael Janigan
Presiding Member

Robert Dodds
Vice Chair and Member

April 30, 2020

INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to an Enbridge Gas Inc. (Enbridge Gas) proceeding.

Enbridge Gas applied to the OEB on August 9, 2019 under section 90(1) of the *Ontario Energy Board Act, 1998, (Act)* for approval to construct approximately 64 kilometres of natural gas pipeline and ancillary facilities in the Municipality of Chatham-Kent and the Towns of Lakeshore and Tecumseh. Enbridge Gas also applied to the OEB under section 97 of the Act for approval of the form of agreement it will offer to landowners to use their land for routing or construction of the proposed pipeline and ancillary facilities.

The OEB granted Energy Probe Research Foundation (Energy Probe) and Federation of Rental-housing Providers of Ontario (FRPO) intervenor status and cost award eligibility.

On April 1, 2020, the OEB issued its Decision and Order in which it set out the process for intervenors to file their cost claims, for Enbridge Gas to object to the claims and for intervenors to respond to any objections raised by Enbridge Gas.

The OEB received cost claims from Energy Probe and FRPO. On April 29, 2020, Enbridge Gas filed a letter stating that it had no objection to the cost claims received from Energy Probe and FRPO.

Findings

The OEB has reviewed the claims filed to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB accepts the claims as filed. The OEB notes that while the time expended is greater than might be expected, it would likely have been reduced by more comprehensive evidentiary disclosure by Enbridge Gas earlier in the proceeding.

The OEB finds that both parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The OEB finds that the claims of Energy Probe and FRPO are reasonable and each of these claims shall be reimbursed by Enbridge Gas.

THE ONTARIO ENERGY BOARD ORDERS THAT:

Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge Gas Inc. shall immediately pay the following amounts to the intervenors for their costs:

- Energy Probe Research Foundation \$ 10,724.55
- Federation of Rental-housing Providers of Ontario \$ 24,148.10

DATED at Toronto April 30, 2020

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary