

January 13, 2010

Ontario Energy Board  
2300 Yonge Street  
Suite 2700  
Toronto, Ontario  
M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

**RE: EB-2009-0166 – Union Gas Limited’s 2010 Low-Income Demand Side  
Management Plan – Cost Claim Comments**

Dear Ms. Walli,

Union Gas Limited (“Union”) has reviewed the intervenor cost claims for the low-income portion of the EB-2009-0166 proceeding and has concerns with the cost claim of the Low Income Energy Network (“LIEN”). Union is concerned with the number of hours claimed and the amount of resources utilized to review an application four pages in length.

In its letter received by Union on December 23, 2009, LIEN requested costs based on 33.90 hours for six different individuals. The total hours submitted by LIEN exceed the average hours claimed by the other intervenor groups (2.88 hours – calculated excluding LIEN) by 31.02 hours. As the Board noted in its costs award dated January 7, 2010,

*“A comparison to the average is not a determinative factor of reasonableness, but is an indication of reasonableness.”*

Union does not understand why six individuals were required to review a four page application that was based on an established and Board-approved framework.

Although Union appreciates that LIEN had more interest in this proceeding than the other intervenors, the cost claim relative to the other intervenor groups is not commensurate to the contributions made by LIEN. Union requests that the Board review and adjust the cost claims of LIEN if an adjustment is deemed to be appropriate.

Yours truly,

*[original signed by]*

Chris Ripley  
Manager, Regulatory Applications

cc: Mr. Crawford Smith, Torys  
EB-2009-0166 Intervenors

EB-2009-0166 (Low-Income) Cost Claims

<b><u>Intervenor</u></b>	<b><u>Hours</u></b>
LIEN	33.90
Energy Probe	5.25
CME	2.40
LPMA	1.00