

Direct Dial: (416) 862-4843
File: 5292

By Electronic Mail

January 19, 2010

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street,
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Union Gas Distribution Inc. 2010 Natural Gas
Low Income Demand Side Management Plan – EB-2009-0166**

We have received Union Gas Limited's comment letter dated January 13, 2010 regarding the cost claim filed by the Low-Income Energy Network ("LIEN") on December 23, 2009.

LIEN is the Low Income Energy Network. This is Union Gas' Low Income DSM Proceeding. It is entirely consistent with LIEN's intervention, participation and mission for it to have taken a substantially greater interest and involvement in this proceeding than the other intervenors, individually or even collectively. The average of other intervenors' hours is an extremely limited and distorting indication of whether an intervenor's costs are reasonable in general and consistent with the Board's practice direction in particular.

LIEN was accepted by the Board as an intervenor in this proceeding and was found to be eligible for its costs. As such, LIEN submitted its cost claim in accordance with section 30 of the *Ontario Energy Board Act* and in accordance with the criteria for cost awards in section 5 of the Board's Practice Direction on Cost Awards.

Demand Side Management is an issue that is significant to LIEN and the low-income aspect of this proceeding was of particular importance. LIEN's mission statement is reflective of its interest in DSM by promoting not just programs and policies for low-income consumers, but also by promoting general overall efficient use of energy to promote a healthy economy. Specifically, LIEN



- ♦ *aims to ensure universal access to adequate, affordable energy as a basic necessity, while minimizing the impacts on health and on the local and global environment of meeting the essential energy and conservation needs of all Ontarians, and*
- ♦ *promotes programs and policies which tackle the problems of energy poverty and homelessness, reduce Ontario's contribution to smog and climate change, and promote a healthy economy through the more efficient use of energy, a transition to renewable sources of energy, education and consumer protection.*

Union has acknowledged in its January 13, 2010 letter that LIEN had more interest in this proceeding than the other intervenors. Union does not object to LIEN's application for costs on any ground specified in section 5 of the Practice Directions.

LIEN received no objection from Union or any other utility about LIEN's participation in the proceeding. LIEN participated actively and responsibly throughout the proceeding.

Accordingly, LIEN respectfully submits that its costs were all incurred consistently with the Board's requirements for an award of costs and should be granted in full in accordance with the costs claim filed on December 23, 2009.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Paul Manning', is written over the typed name.

Paul Manning

cc: All Registered Participants
LIEN

Document #: 293483