



EB-2008-0106

IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine methodologies for commodity pricing, load balancing and cost allocation for natural gas distributors;

AND IN THE MATTER OF a Settlement Agreement filed with the Ontario Energy Board concerning the MDV Proposal of Enbridge Gas Distribution Inc.

PROCEDURAL ORDER NO. 5

COST AWARDS

On May 29, 2008, the Ontario Energy Board (the “Board”) commenced a proceeding on its own motion to determine the methodology to be used by natural gas distributors for (i) gas commodity pricing, (ii) load balancing and (iii) cost allocation between the supply and delivery functions in relation to regulated gas supply. The Board assigned file number EB-2008-0106 to this proceeding.

On September 21, 2009, the Board issued its Amended Decision and Order (the “Decision”) in this proceeding. The Board ordered Enbridge Gas Distribution Inc. (“Enbridge”) to file details of its Mean Daily Volume proposal (“MDV Proposal”) for approval. Specifically, the Board ordered the following:

The Board orders EGD to file the details of its MDV proposal at its earliest convenience for the Board’s review and approval. The changes to the MDV shall be implemented in 2011. With respect to the costs of implementing the changes to the MDV, the Board directs EGD to record

these costs in a deferral account, the prudence and disposition of which will be decided in a subsequent proceeding.¹

Enbridge filed its MDV Proposal on April 21, 2010 and on May 12, 2010 the Board issued Procedural Order No. 3 which initiated the review and approval process. On July 22, 2010, the Board issued a Decision accepting a unanimous Settlement Agreement concerning the MDV Proposal.

In this Procedural Order the Board will set out the cost awards process associated with the MDV Proposal.

Please be advised that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Parties eligible for an award of costs shall submit their cost claims by **September 16, 2010**. A copy of the cost claim must be filed with the Board and one copy is to be served on Enbridge. Cost claims must be prepared in accordance with the Board's *Practice Direction on Cost Awards*.
2. Enbridge will have until **September 20, 2010** to object to any aspect of the costs claimed. A copy of the objection must be filed with the Board and one copy must be served on the party against whose claim the objection is being made.
3. Any party whose cost claim was objected to will have until **September 23, 2010** to make a reply submission as to why their cost claim should be allowed. One copy of the submission must be filed with the Board and one copy is to be served on Enbridge.
4. All parties shall file their submissions with the Board Secretary and must quote File Number EB-2008-0106. These submissions should be made through the Board's web portal at www.errr.oeb.gov.on.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address and must be sent to the Board by 4:45 pm on the date indicated with a copy to all parties. Please use the document naming

¹ Amended Decision and Order EB-2008-0106, September 21, 2009, pages 30 and 31.

conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. If the web portal is not available you may email your document to the addresses below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Colin Schuch at colin.schuch@oeb.gov.on.ca and Board Counsel, Maureen Helt at maureen.helt@oeb.gov.on.ca.

ISSUED at Toronto, September 8, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary