



EB-2010-0199

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF cost award eligibility for
interested participants in a consultative process for
the 2010 Natural Gas Market Review.

BEFORE: Paula Conboy
Member

SUPPLEMENTAL DECISION ON COST ELIGIBILITY

On August 20, 2010 the Ontario Energy Board (the “Board”) issued its Decision on Cost Eligibility in relation to the consultation process for the 2010 Natural Gas Market Review.

On August 28, 2010, the Board received a late request for cost eligibility status from the School Energy Coalition (“SEC”). In its request SEC explains that its initial view on receiving the Board’s letter of July 13, 2010 was that the interests of schools would be limited, and would be well addressed by the other participants involved in the consultation. However, upon reviewing the ICF International Report when it was released on August 20, 2010, SEC determined that the impacts on schools may be more extensive, and it is for this reason that SEC is seeking to participate at this late stage.

In its July 13, 2010 letter announcing this consultation process, the Board stated that the deadlines for filing cost eligibility requests and objections would be strictly enforced. However, the Board accepts SEC’s reasons outlined in its letter of August 28 for filing its request for cost eligibility after the deadline.

Based on the criteria set out in section 3.03 of the Board's Practice Direction, the Board has determined that SEC would be eligible for an award of costs in this process. In the ordinary course, gas distributors would have an opportunity to object to a cost eligibility request. However, given the lateness of SEC's request and the fact that a Question and Answer session is being held on September 29, 2010, the Board finds it necessary to make an expedited decision granting SEC cost eligibility, subject to gas distributors objecting to the cost eligibility request. If a distributor has any objections to SEC's request for cost eligibility, such objections must be made by **September 28, 2010** and in accordance with the filing instructions set out below. A copy of the objection must be filed with the Board and one copy must be served on SEC. If objections are filed, the Board will then make a final determination on the cost eligibility of SEC. If no objections are received from gas distributors, this decision granting cost eligibility to SEC will be deemed final.

All participants eligible for an award of costs in this consultation are reminded that cost awards will be limited to the activities and maximum amounts previously identified by the Board. Further, the Board expects that eligible participants will make every effort to communicate and co-ordinate their participation in this process to the extent that they represent the same interests or class of persons.

Filing Instructions

All filings to the Board in relation to this consultation must quote file number **EB-2010-0199** and include your name, postal address and telephone number and, if available, e-mail address and fax number. Two (2) paper copies of each filing must be provided. The Board asks that participants make every effort to provide an electronic copy of their filing in searchable/unrestricted Adobe Acrobat (PDF) format and to submit all filings through the Board's web portal at www.errr.oeb.gov.on.ca. If you do not have a user ID, please visit the "e-filing services" webpage on the Board's website at www.oeb.gov.on.ca, and fill out a user ID password request. Additionally, interested stakeholders are asked to follow the document naming conventions and document submission standards outlined in the document entitled "RESS Document Preparation – A Quick Guide" also found on the "e-filing services" webpage. If the Board's web portal is not available, electronic copies of filings may be filed by e-mail at BoardSec@oeb.gov.on.ca. Those who do not have internet access should submit the electronic copy of their filing on CD or diskette.

Filings must be received by **4:45 pm** on the required date.

ISSUED at Toronto, September 22, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary