



EB-2010-0280

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 parties with respect to proposed customer-
related amendments to the Gas Distribution Access Rule

BEFORE Cynthia Chaplin
Presiding Member and Vice-Chair

DECISION ON COST ELIGIBILITY

October 28, 2010

On September 21, 2010, the Board issued a letter informing stakeholders that the Board would be seeking written comments on proposed amendments to the Gas Distribution Access Rule ("GDAR") pertaining to customer service rules for gas distributors including customer service rules tailored to low-income customers. The letter stated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to this matter, and that any costs awarded would be recovered from all rate-regulated natural gas distributors based on their respective distribution revenues. The letter requested that parties indicate whether they intend to participate and to include a statement as to whether the participant wished to request cost eligibility.

Eleven parties have indicated their interest in participating in this consultation process. The following six requested cost eligibility:

- Building Owners and Managers Association;
- Canadian Manufacturers and Exporters;

-2-

- Federation of Rental-Housing Providers of Ontario;
- London Property Management Association;
- Low-Income Energy Network; and
- Vulnerable Energy Consumers Coalition.

Gas distributors were given an opportunity to file any objections they might have in relation to these requests for cost eligibility. The Board did not receive any objections from the distributors.

Based on the criteria set out in section 3 of the Board's Practice Direction on Cost Awards (the "Practice Direction"), the Board has determined that the following participants are eligible for an award of costs in this process, subject to satisfying the conditions set out below, where applicable: Building Owners and Managers Association; Canadian Manufacturers and Exporters; Federation of Rental-Housing Providers of Ontario; London Property Management Association; Low-Income Energy Network; and Vulnerable Energy Consumers Coalition.

Cost awards will be available for provision of written comments on the proposed amendments to the GDAR for a maximum of 30 hours.

When determining the amount of the cost awards, the Board will apply the principles set out in section 5 of its *Practice Direction on Cost Awards*. The maximum hourly rates set out in the Board's Cost Awards Tariff will also be applied. The Board expects that groups representing the same interests or class of persons will make every effort to communicate and co-ordinate their participation in this process.

ISSUED at Toronto, October 28, 2010

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary