

**Ontario Energy Board**  
P.O. Box 2319  
27th. Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Telephone: 416- 481-1967  
Facsimile: 416- 440-7656  
Toll free: 1-888-632-6273

**Commission de l'énergie de l'Ontario**  
C.P. 2319  
27e étage  
2300, rue Yonge  
Toronto ON M4P 1E4  
Téléphone: 416- 481-1967  
Télécopieur: 416- 440-7656  
Numéro sans frais: 1-888-632-6273



## VIA E-MAIL AND WEB POSTING

January 31, 2011

To: All Rate-Regulated Gas Distributors  
The Association of Power Producers of Ontario  
Canadian Manufacturers and Exporters  
The City of Timmins  
The Consumers Council of Canada  
The Council of Canadians  
Energy Probe Research Foundation  
The Federation of Rental-Housing Providers of Ontario  
Industrial Gas Users Association  
London Property Management Association  
School Energy Coalition  
The Vulnerable Energy Consumer's Coalition

**Re: Notice of Hearing for Cost Awards  
Stakeholder Consultation on the 2010 Natural Gas Market Review  
Board File No.: EB-2010-0199**

### **Background**

On July 13, 2010, the Board issued a letter announcing the launch of the 2010 Natural Gas Market Review (the "Review") and describing the consultative process to help the Board to review and examine recent developments in North American natural gas supply markets to consider any potential implications for the Ontario natural gas market.

The July 13, 2010 letter notified interested stakeholders that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B (the "Act") in relation to their participation in this consultation process and that any costs awarded would be recovered from rate-regulated gas distributors based on their respective distribution revenues.

In accordance with the Board's August 20, 2010 Decision on Cost Eligibility, and the Board's Supplemental Decision on Cost Eligibility issued on September 22, 2010, the following eleven participants were found to be eligible for an award of costs: the Association of Power Producers of Ontario; Canadian Manufacturers & Exporters; the City of Timmins; the Consumers Council of Canada; the Council of Canadians; Energy Probe Research Foundation; the Federation of Rental-Housing Providers of Ontario;

Industrial Gas Users Association; London Property Management Association; School Energy Coalition; and the Vulnerable Energy Consumers Coalition (collectively, the "eligible participants").

The Board allowed eligible participants to claim the costs of an expert to prepare a separate expert submission for the stakeholder conference. Two separate expert submissions were received by the Board, one sponsored by the Council of Canadians, and the other sponsored by a group of seven eligible participants (namely, the Consumers Council of Canada, Canadian Manufacturers & Exporters, the City of Kitchener, the Federation of Rental-housing Providers of Ontario, London Property Management Association, School Energy Coalition, and the Vulnerable Energy Consumers Coalition).

For convenience, the eligible activities in this consultation and the maximum number of hours for each, as previously determined by the Board, are reiterated in Attachment A to this Notice.

### **Notice of Hearing**

The Board is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the Act for the stakeholder consultation activities. The file number for this hearing is EB-2010-0199.

The Board intends to proceed by way of written hearing unless a party can satisfy the Board that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the Board no later than **7 days** after the date of this Notice.

Assuming that the Board does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. The eligible participants shall submit their cost claims by **February 18, 2010**. A copy of the cost claim must be filed with the Board and one copy is to be served on each rate-regulated gas distributor (namely, Enbridge Gas Distribution Inc. ["Enbridge"], Natural Resource Gas Limited ["NRG"], and Union Gas Limited ["Union"]). The cost claims must be completed in accordance with section 10 of the Board's *Practice Direction on Cost Awards*. In addition, to expedite the review of cost claims, the Board asks eligible participants to submit a cost claim summary as illustrated in Attachment B.
2. The Enbridge, NRG, and Union will have until **March 4, 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 eligible participant against whose claim the objection is being made.

3. The eligible participant whose cost claim was objected to will have until **March 11, 2010** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the Board and one copy is to be served on the objecting gas distributor (Enbridge, NRG, or Union).
4. The Board will then issue its decision on cost awards. The Board's costs may also be addressed in the cost awards decision.

Service of cost claims, objections and reply submissions on other parties may be effected by courier, registered mail, facsimile or e-mail.

All submissions in this hearing (i.e. cost claims, objections and replies) will form part of the public record. Copies of the submissions will be available for inspection at the Board's office and may be published on the Board's website.

Parties must file two paper copies and one electronic copy of their submissions with the Board Secretary by **4:30 p.m.** on the required dates. The Board requests that parties make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format, and to submit their filings through the Board's web portal at [www.errr.gov.on.ca](http://www.errr.gov.on.ca). A user ID is required to submit documents through the Board's web portal. If you do not have a user ID, please visit the "e-Filing Services" page on the Board's website at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca), and fill out a user ID password request. Additionally, parties are requested 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](mailto:boardsec@oeb.gov.on.ca). Those that do not have internet access should provide a CD containing their filing in PDF format.

All submissions must quote file number **EB-2010-0199** and include your name, address, e-mail address, telephone number, and fax number.

**If you do not file a letter objecting to a written hearing or do not participate in the hearing by filing written submissions in accordance with this notice, the Board may proceed without your participation and you will not be entitled to further notice in this proceeding.**

Yours truly,

*Original Signed By*

Kirsten Walli  
Board Secretary

Attachments

## Attachment A: Eligible Activities and Maximum Number of Hours

The table below outlines the maximum number of hours for which costs awards are available for eligible participants.

Activity Eligible for Cost Awards	<b>Total Eligible Hours per Eligible Participant</b>
<u>For eligible participant:</u> <ul style="list-style-type: none"> <li>• Review of market report prepared by ICF Consulting Canada Inc. prior to the stakeholder conference;</li> </ul>	Up to 15 hours
<ul style="list-style-type: none"> <li>• Preparation for and attendance at the ICF Market Report Question and Answer Session held on September 29, 2010;</li> </ul>	Up to 10 hours
<ul style="list-style-type: none"> <li>• Preparation for, attendance at, and reporting on the stakeholder conference held on October 7 and 8, 2010 (a maximum of 11 hours for preparation, attendance, and reporting time for each conference day); and</li> </ul>	Up to 22 hours
<ul style="list-style-type: none"> <li>• Further written comment</li> </ul>	Up to 10 hours
<u>For expert retained by an eligible participant:</u> <ul style="list-style-type: none"> <li>• Preparation of separate expert submission; and</li> </ul>	Up to 40 hours
<ul style="list-style-type: none"> <li>• Preparation for, attendance at, and debriefing on the stakeholder conference held on October 7 and 8, 2010 (a maximum of 11 hours for preparation, attendance, and reporting time for each conference day).</li> </ul>	Up to 22 hours
<u>For expert retained by a collaborative:</u> <ul style="list-style-type: none"> <li>• Preparation of separate expert submission; and</li> </ul>	Up to 40 hours + (20 hours * number of <u>additional</u> members in a collaborative))
<ul style="list-style-type: none"> <li>• Preparation for, attendance at, and debriefing on the stakeholder conference held on October 7 and 8, 2010 (a maximum of 11 hours for preparation, attendance, and reporting time for each conference day).</li> </ul>	Up to 22 hours

