



EB-2010-0175

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

AND IN THE MATTER OF an application by Enbridge
Gas Distribution Inc. for an order or orders approving its
2011 Demand Side Management Plan.

BEFORE: Marika Hare
Presiding Member

Paula Conboy
Member

DECISION AND ORDER ON COST AWARDS

Background

Enbridge Gas Distribution Inc. ("Enbridge") filed an application with the Ontario Energy Board (the "Board") dated May 28, 2010, seeking an order granting approval of its 2011 Natural Gas Demand Side Management plan. The Board assigned the Application file number EB-2010-0175.

On September 24, 2010, the Board issued its Decision and Order approving Enbridge's application for its 2011 DSM plan. In its Decision and Order, the Board stated that it expected Enbridge to file an amendment to its 2011 DSM plan which recognizes the government's policy with respect to increased conservation programs for low income consumers, as expeditiously as possible. The low income amendment was filed on November 11, 2010.

On November 26, 2010, the Board issued Procedural Order No. 2. The Board decided

to hear the low income amendment to Enbridge's 2011 DSM plan as a second phase to the proceeding.

On July 16, 2010, the Board issued its Procedural Order No. 1, granting intervenor status and cost eligibility to Canadian Manufacturers & Exporters ("CME"), Energy Probe, Green Energy Coalition ("GEC"), Industrial Gas Users Association ("IGUA"), Low-Income Energy Network ("LIEN"), Pollution Probe and Vulnerable Energy Consumers Coalition ("VECC"). Toronto and Region Conservation Authority ("TRCA") and Ontario Sustainable Energy Association ("OSEA") requested and were granted intervenor status but the Board denied TRCA's and OSEA's requests to be eligible for an award of costs.

TRCA filed a motion to review the Board's cost eligibility decision. On November 22, 2010, the Board issued its Decision and Order on TRCA's motion to review the Board's cost eligibility decision and dismissed the motion.

The Board issued its Decision on the second phase of the application on December 20, 2010, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by Enbridge.

The Board received cost claims from IGUA and LIEN. On December 21, 2010 and December 22, 2010, GEC and CME respectively sent correspondence to the Board stating that they will not submit a cost claim. Energy Probe, Pollution Probe and VECC did not submit any cost claims.

On January 18, 2011, Enbridge filed comments stating that it finds the claims to be consistent with the allowances of prescribed rates within the cost assessment guidelines and has no objection to these claims.

Board Findings

The Board has reviewed the claims filed by IGUA and LIEN.

The Board finds that IGUA and LIEN are eligible to recover 100% of their reasonably incurred costs of participating in this proceeding. The Board finds that both claims are reasonable and shall be reimbursed by Enbridge.

THE BOARD THEREFORE ORDERS THAT:

1. Pursuant to section 30 of the Ontario *Energy Board Act, 1998*, Enbridge shall immediately pay:
 - Industrial Gas Users Association \$442.87; and
 - Low-Income Energy Network \$757.10.

2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, February 10, 2011.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary