



EB-2010-0184

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

AND IN THE MATTER OF a motion by the Consumers
Council of Canada in relation to section 26.1 of the Ontario
Energy Board Act, 1998 and Ontario Regulation 66/10.

BEFORE: Cathy Spoel
Presiding Member

Paula Conboy
Member

DECISION AND ORDER ON COST AWARDS

Background

On April 26, 2010, the Ontario Energy Board (the "Board") received a Notice of Motion from the Consumers Council of Canada ("CCC") regarding the assessments issued by the Board pursuant to section 26.1 of the *Ontario Energy Board Act, 1998* (the "Act").

The Board granted intervenor status to: Canadian Manufacturers & Exporters ("CME"); the Industrial Gas Users Association ("IGUA"); Toronto Hydro Electric System Limited; Vulnerable Energy Consumers Coalition ("VECC"), Enbridge Gas Distribution Inc.; Union Gas Limited; and the Association of Power Producers of Ontario ("APPrO"). CME, VECC, CCC, IGUA and APPrO requested and were found to be eligible for cost award.

The Board determined that it would be more efficient for the Board to provide funding to groups representing the interests of customers that may be affected by this proceeding through section 26 of the Act.

On December 23, 2010, the Board issued a Decision and Order on Cost Awards with respect to intervenors' cost claims for the period up to August 5, 2010.

On June 8, 2011, the Board issued a Decision and Order on a motion by CCC and Aubrey LeBlanc for the production of complete and unredacted copies of documents provided by the Attorney General of Ontario in response to questions taken under advisement during the examination of the Attorney General of Ontario's witness, Barry Beale on November 16, 2010 and for an order compelling the re-attendance of Mr. Beale to answer further questions arising from the production of these documents. In its Decision and Order, the Board set out the process for eligible intervenors to file their cost claims for the period of August 6, 2010 to the end of the motion, April 21, 2011.

The Board received cost claims from CCC, CME, IGUA and APPrO.

Board Findings

The Board has reviewed the claims filed by CCC, CME, IGUA and APPrO and finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The Board will therefore pay:

- Consumers Council of Canada \$48,651.65;
- Canadian Manufacturers & Exporters \$35,187.06;
- Industrial Gas Users Association \$7,531.77; and
- Association of Power Producers of Ontario \$10,151.99.

DATED at Toronto, July 20, 2011.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary