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**BY E-MAIL AND WEB POSTING**

**September 6, 2012**

**To: All Natural Gas Distributors  
Low-Income Energy Network  
Vulnerable Energy Consumers Coalition  
Federation of Rental-Housing Providers of Ontario  
Building Owners and Managers Association of Greater Toronto  
London Property Management Association  
Canadian Manufacturers and Exporters**

**Re: Notice of Hearing for Cost Awards  
Customer Service Standards for Natural Gas Distributors  
Board File No.: EB-2010-0280**

## **Background**

### **A. The Consultations**

On September 21, 2010, the Ontario Energy Board commenced a consultation process on the development of customer service standards and rules for gas distributors pertaining to residential and low-income customers ("the Consultations"). In its September 21<sup>st</sup> kickoff letter, the Board indicated that cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998* (the "Act") to eligible participants in relation to their participation in this consultation, and that costs awarded would be recovered from all rate-regulated natural gas distributors based on their respective distribution revenues.

After reviewing comments provided by interested parties (including non rate-regulated gas distributors), on October 14, 2011 the Board issued residential customer service amendments to the Gas Access Distribution Rule ("GDAR"). On September 6, 2012, the Board issued low-income customer service amendments to GDAR. The initial phase of these Consultations has now concluded.

## **B. Participants and Activities Eligible for Cost Awards**

In its October 28, 2010 Decision on Cost Eligibility, the Board found the following parties (collectively, the “eligible participants”) to be eligible for an award of costs in respect of these Consultations: Building Owners and Managers Association (“BOMA”); Canadian Manufacturers and Exporters (“CME”); Federation of Rental-Housing Providers of Ontario (“FRPO”); London Property Management Association (“LPMA”); Low-Income Energy Network (“LIEN”); and the Vulnerable Energy Consumers Coalition (“VECC”). The Board notes that no written comments were subsequently provided by BOMA.

## **C. Activities Eligible for Cost Awards – Initial Phase of Consultations**

In the initial phase of these Consultations, the eligible participants are eligible for an award of costs in relation to the following activities:

- i. The provision of written comments on the submissions made by all gas distributors regarding appropriate residential customer service standards. As set out in the Board’s letter of January 20, 2011, each eligible participant was allowed a maximum of 15 hours for their comments. Written comments were received and posted from four eligible participants: LIEN, LPMA, FRPO and CME.
- ii. The provision of written comments on the residential customer service GDAR amendments proposed by the Board. As set out in the Board’s Notice dated June 29, 2011, each eligible participant was allowed a maximum of 5 hours for their comments. Written comments were received and posted from three eligible participants: LIEN, VECC and FRPO.
- iii. The provision of written comments on the submissions made by all gas distributors regarding appropriate low-income customer service standards. As set out in the separate Board’s letter of June 29, 2011, each eligible participant was allowed a maximum of 20 hours for their comments. Written comments were received and posted from three eligible participants: LIEN, VECC and LPMA.
- iv. The provision of written comments on the eligible low-income customer service GDAR amendments proposed by the Board. As set out in the Board’s Notice dated July 12, 2012, each eligible participant was allowed a maximum of 5 hours for their comments. Written comments were received and posted from one eligible participant: LIEN.

Potential cost awards in respect of the next phase of these Consultations, which will examine enhanced gas–sector customer service related reporting requirements, will be addressed later.

### **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 in relation to the eligible activities noted above and in relation to the five eligible participants who filed one or more written submissions: VECC, LIEN, FRPO, CME and LPMA.

The file number for this hearing is EB-2010-0280.

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.

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

1. The above five eligible participants shall submit their cost claims by **September 20, 2012**. A copy of the cost claim must be filed with the Board and one copy is to be served on each rate-regulated distributor. The cost claims must be completed in accordance with section 10 of the Board's *Practice Direction on Cost Awards*.
2. Rate-regulated distributors will have until **September 27, 2012** 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. An eligible participant whose cost claim was objected to will have until **October 4, 2012** 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 distributor.
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 the submissions may be published on the Board's website.

Parties must file a paper copy and one electronic copy of their submissions with the Board Secretary by **4:45 pm** on the required dates. The Board requests that interested 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 <https://www.pes.ontarioenergyboard.ca/eservice/>. 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-filings services" webpage on the Board's website at [www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca) and fill out a user ID password request. Additionally, interested 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@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca).

Those that do not have internet access should provide a CD or diskette containing their filing in PDF format.

All submissions must quote file number **EB-2010-0280** and include your name, address, telephone number and, where available, your e-mail address 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