



**Ontario Energy Board
Commission de l'énergie de l'Ontario**

**DECISION AND ORDER ON COST
AWARDS**

EB-2017-0087

UNION GAS LIMITED

**Application for 2018 Rates for the Distribution, Transmission and Storage of
Natural Gas Effective January 1, 2018**

BEFORE: Michael Janigan
Presiding Member

Susan Frank
Member

March 7, 2018

INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to an Union Gas Limited (Union) proceeding.

Union filed an application dated September 26, 2017 with the OEB pursuant to section 36 of the *Ontario Energy Board Act, 1998* (Act), for an order or orders approving rates for the distribution, transmission and storage of natural gas, effective January 1, 2018.

The OEB granted the following parties intervenor status and cost award eligibility:

- Building Owners and Managers Association Toronto (BOMA)
- Canadian Manufacturers and Exporters (CME)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Association of Physical Plant Administrators (OAPPA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On January 18, 2018, the OEB issued its Decision and Rate Order in which it set out the process for intervenors to file their cost claims, for Union to object to the claims and for intervenors to respond to any objections raised by Union.

The OEB received cost claims from BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, SEC and VECC. By e-mail, OAPPA stated that it will not file a cost claim. On February 16, 2018, Union filed a letter stating that it had no objections to the cost claims.

Findings

The OEB has reviewed the claim filed by BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, SEC and VECC to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

IGUA's cost claim shows substantially more time expended in this proceeding than other participating parties. However, IGUA took the lead in advancing the rate increase concerns of its affected ratepayers associated with the Panhandle Extension project. While the efforts were not successful, its participation was responsible and of

assistance to the OEB. IGUA will thus recover 100% of the costs of its participation as filed. The OEB, however, wishes to note that a portion of IGUA's costs relate to the evidence that it proposed to file that was ultimately excluded from the evidentiary record. In the event IGUA chooses to file evidence concerning Panhandle Extension cost allocation in a future proceeding, the OEB expects IGUA to show the effect of synergies with its participation in this proceeding in any claim for costs for the preparation of such evidence.

For all other intervenors, the OEB finds that 30 hours is a reasonable maximum for total time expended.

BOMA claimed a total of 35.3 hours (9.4 hours for Interrogatories Preparation, 13.8 hours for Settlement Conference Preparation, 4.5 hours for Settlement Conference Attendance, 3.5 hours for Settlement Conference Proposal, 1.1 hours for Oral Hearing Preparation and 3 hours for Oral Hearing Attendance). For the reason stated above, the OEB will reduce BOMA's total hours to 30. The total cost award for BOMA is therefore \$11,199.31.

The claim of FRPO requires a reduction of \$14.56 due to double HST on the mileage charge. The OEB finds that the claims of CME, CCC, Energy Probe, IGUA, LPMA, SEC and VECC and the adjusted claims of BOMA and FRPO are reasonable and each of these claims shall be reimbursed by Union.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union Gas Limited shall immediately pay the following amounts to the intervenors for their costs:

• Building Owners and Managers Association Toronto	\$11,199.31
• Canadian Manufacturers and Exporters	\$2,710.87
• Consumers Council of Canada	\$6,898.65
• Energy Probe Research Foundation	\$9,414.60
• Federation of Rental-housing Providers of Ontario	\$11,152.10
• Industrial Gas Users Association	\$20,745.65
• London Property Management Association	\$4,251.06
• School Energy Coalition	\$6,003.69
• Vulnerable Energy Consumers Coalition	\$8,255.30

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

DATED at Toronto March 7, 2018

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary