



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

**DECISION AND ORDER ON COST
AWARDS**

EB-2017-0086

ENBRIDGE GAS DISTRIBUTION INC.

**Application for natural gas distribution, transmission and storage
rates commencing January 1, 2018**

BEFORE: Allison Duff
Presiding Member

Susan Frank
Member

Michael Janigan
Member

April 9, 2018

INTRODUCTION AND SUMMARY

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

Enbridge filed an application dated September 25, 2017 (updated October 17, 2017) with the Ontario Energy Board under section 36 of the *Ontario Energy Board Act, S.O. 1998, c.15*, (Schedule B) for an order or orders approving rates for 2018.

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

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association (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)
- Ontario Association of Physical Plant Administrators (OAPPA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On February 22, 2018, the OEB issued its Decision and Accounting Order in which it set out the process for intervenors to file their cost claims, for Enbridge to object to the claims and for intervenors to respond to any objections raised by Enbridge.

The OEB received cost claims from APPrO, BOMA, CME, Energy Probe, FRPO, IGUA, OAPPA, SEC and VECC. CCC did not file a cost claim. On March 12, 2018, Enbridge filed a letter stating that it has no objections with the cost claims filed.

Finding

The OEB has reviewed the claims filed to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB is prepared to allow a maximum of 50 hours for intervenor participation and representation in this proceeding. This is on the basis of a review of the record, and the hourly totals claimed by intervenors in each cost category. There are some significant differences in the totals claimed by some intervenors that are not supported by the

record. These differences occur in hours claimed for work done both before and after the settlement conference. The maximum total accords with reasonable expectations for time spent for each aspect of intervenor participation. The reduction of hours for any intervenor shall be accomplished by using a blended hourly rate.

Notwithstanding the above, School Energy Coalition's cost claim is approved as filed. The cover letter to SEC's cost claim explained that time had been spent reviewing the geothermal and renewable natural gas evidence before the OEB instructed Enbridge to re-file those aspects of its application under a separate docket (EB-2017-0319). The OEB accepts SEC's explanation that it was instructed to claim the associated hours in this proceeding, not EB-2017-0319.

The OEB has reduced BOMA's total hours to 50 hours from 77.50 hours at a rate of \$330.00 per hour. The total cost award for BOMA is therefore \$18,657.31.

The OEB has reduced APPrO's total hours to 50 hours from 68.40 hours and has used a blended rate of \$274.47 per hour. The claim of APPrO also requires a reduction of \$31.64 due to non-compliance with the government's *Travel, Meal and Hospitality Expenses Directive*. The total cost award for APPrO is therefore \$16,112.99.

The OEB finds that the claims of CME, Energy Probe, FRPO, IGUA, OAPPA, SEC and VECC and the adjusted claims of APPrO and BOMA are reasonable and each of these claims shall be reimbursed by Enbridge.

THE ONTARIO ENERGY BOARD ORDERS THAT:

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

• Association of Power Producers of Ontario	\$16,112.99
• Building Owners and Managers Association	\$18,657.31
• Canadian Manufacturers and Exporters	\$7,155.16
• Energy Probe Research Foundation	\$12,564.34
• Federation of Rental-housing Providers of Ontario	\$17,364.51
• Industrial Gas Users Association	\$10,371.89
• Ontario Association of Physical Plant Administrators	\$3,965.00
• School Energy Coalition	\$19,497.02
• Vulnerable Energy Consumers Coalition	\$12,005.07

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

DATED at Toronto April 9, 2018

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary