



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

**DECISION AND ORDER ON COST
AWARDS**

EB-2015-0245

**Natural Gas Demand Side Management
Evaluation Advisory Committee**

By Delegation Before: Theodore Antonopoulos

December 10, 2018

INTRODUCTION AND SUMMARY

On August 21, 2015 the Ontario Energy Board (OEB) issued [a letter](#) establishing the process to evaluate the results of Natural Gas Demand Side Management (DSM) programs from 2015 to 2020.

As part of the OEB's evaluation process, an Evaluation Advisory Committee (EAC) made up of experts representing both utility and non-utility stakeholders was formed.

In the August 21, 2015 letter, the OEB stated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to their participation in the EAC.

Based on the criteria set out in section 3 of the OEB's *Practice and Direction on Cost Awards*, the OEB has determined that the following persons are eligible (the Eligible Participants) for an award of costs:

- Chris Neme, Energy Futures Group
- Jay Shepherd, Shepherd Rubenstein Professional Corporation
- Marion Fraser, Marion Fraser Enterprises Inc.
- Robert M. Wirtshafter, Wirtshafter Associates, Inc.
- Dr. Ted Kesik, University of Toronto

The August 21, 2015 letter indicated that costs awarded will be recovered from all rate-regulated natural gas distributors based on their respective distribution revenues. This apportionment was consistent with the methodology that was in place at the time for allocating costs for cost assessment purposes under section 26 of the OEB Act. On February 9, 2016, the OEB issued [a letter](#) giving notice of changes to its Cost Assessment Model. Specifically, under the revised Cost Assessment Model cost assessments for distributors are now based on customer numbers rather than distribution revenues. The OEB considers it appropriate to apportion cost awards for this initiative in a manner consistent with the revised Cost Assessment Model, and has therefore determined that costs awarded will be apportioned within the distributor class based on customer numbers.

On October 24, 2018, the OEB issued a Notice of Hearing for Cost Awards (the Notice) in relation to EAC activities from April 1, 2018 to September 30, 2018.

The OEB received cost claims from Dr. Ted Kesik, Energy Futures Group, Shepherd Rubenstein Professional Corporation, Marion Fraser Enterprises Inc. and Wirtshafter Associates, Inc. On November 9, 2018, Enbridge Gas Distribution Inc. filed a letter stating that it had no objections with the cost claims.

OEB Findings

The OEB has reviewed the cost claims filed by Dr. Ted Kesik, Energy Futures Group, Shepherd Rubenstein Professional Corporation, Marion Fraser Enterprises Inc. and Wirtshafter Associates, Inc. to ensure they were compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB finds that certain cost claims require reductions, as follows:

- The claim of the Energy Futures Group requires a reduction of \$495 due to the hours claimed for activities #25 and #51, as they are over the limit
- Due to an administrative error in an appendix to the Cost Notice issued by the OEB, two tasks (#67 and #68 in Appendix A) were listed twice in the Statement of Fees template in Appendix B. Two Eligible Participants inadvertently claimed time twice for task #67: the review and comment of the Draft updated TRM measures on September 7, 2018. The time claimed under the duplicate task has been removed:
 - The claim of the Shepherd Rubenstein Professional Corporation required a reduction of \$372.90 (HST of \$42.90 included)
 - The claim of Wirtshafter Associates, Inc. required a reduction of \$247.50

The OEB finds that the claims of Dr. Ted Kesik, Marion Fraser Enterprises Inc., and the revised claims of the Energy Futures Group, the Shepherd Rubenstein Professional Corporation, and Wirtshafter Associates, Inc. are reasonable. The OEB approves cost awards for the Eligible Participants as follows:

• Dr. Ted Kesik	\$43,890.00
• Energy Futures Group	\$27,390.00
• Shepherd Rubenstein Professional Corporation	\$58,619.88
• Marion Fraser Enterprises Inc.	\$12,678.60
• Wirtshafter Associates, Inc. Energy Futures Group	\$34,155.00

Process for Paying the Cost Awards

The amount payable by each rate-regulated natural gas distributor in relation to costs awarded to each Eligible Participant is listed in Schedule A to this Decision and Order.

However, the amounts will not be paid directly by the distributor to the Eligible Participant.

The OEB will use the process set out in section 12 of the *Practice Direction* to implement the payment of the cost awards. Therefore, the OEB will act as a clearing house for all payments of cost awards relating to this consultation process. Invoices will be issued to distributors at the same time as the invoices for cost assessments are made under section 26 of the Act. The practice of the OEB is to issue to each distributor one invoice that covers all cost awards payable by the distributor for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations, including this one.

THE ONTARIO ENERGY BOARD THEREFORE ORDERS THAT:

1. Each distributor listed in Schedule A to this Decision and Order shall pay the amounts set out in Schedule A in relation to the costs awarded to each Eligible Participant.
2. Each distributor listed in Schedule A to this Decision and Order shall pay the OEB's costs of, and incidental to, this consultation.
3. The payments referred to in paragraph 1 shall be made to the OEB in accordance with the invoice issued to each distributor, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto December 10, 2018

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Schedule A

OEB's Decision and Order on Cost Awards

EB-2015-0245

Gas Distributor, Transmitter, Storage Company	Dr. Ted Kesik	Energy Futures Group	Shepherd Rubenstein Professional Corporation	Marion Fraser Enterprises Inc.	Wirtshafter Associates, Inc.	Total
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Enbridge Gas Distribution	\$ 26,162.82	\$ 16,327.17	\$ 34,943.30	\$ 7,557.71	\$ 20,359.78	\$ 105,350.78
Union Gas	\$ 17,621.84	\$ 10,997.09	\$ 23,535.89	\$ 5,090.46	\$ 13,713.24	\$ 70,958.52
EPCOR Natural Gas Limited Partnership	\$ 105.34	\$ 65.74	\$ 140.69	\$ 30.43	\$ 81.98	\$ 424.18

TOTAL	\$ 43,890.00	\$ 27,390.00	\$ 58,619.88	\$ 12,678.60	\$ 34,155.00	\$ 176,733.48
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