



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

DECISION AND ORDER ON COST AWARDS EB-2017-0129

**Consultation to develop a Framework for the Assessment of
Distributor Gas Supply Plans**

By Delegation Before: Brian Hewson

January 9, 2019

INTRODUCTION AND SUMMARY

On April 12, 2018, the Ontario Energy Board (OEB) issued for written comment its *Draft Report of the Ontario Energy Board: Framework for the Assessment of Distributor Gas Supply Plans* (Draft Report). In the cover letter to the Draft Report, the OEB requested comments from stakeholders and indicated that interested parties could request a cost award to a maximum of 10 hours for providing written comments. In addition, stakeholders that participated in the technical working group were eligible to request costs to a maximum of 15 hours (2 hours for attendance and 3 hours for preparation for 3 working group meetings).

The April 12, 2018 letter indicated that costs awarded will be recovered from all rate-regulated natural gas distributors based on their respective number of customers.

On October 25, 2018, the OEB issued its Report of the Ontario Energy Board: Framework for the Assessment of Distributor Gas Supply Plans (Final Report). The issuance of the Final Report marks the end of the consultation to develop a framework for the assessment of distributor gas supply plans.

On November 21, 2018, the OEB issued a Notice of Hearing for Cost Awards (the Notice) to determine the cost awards. The following persons are eligible for an award of costs:

- Canadian Biogas Association (CBA)
- Consumers Council of Canada (CCC)
- Federation of Rental-Housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- School Energy Coalition (SEC)

The OEB received cost claims from CBA, CCC, FRPO, IGUA, LPMA, and the SEC. Vulnerable Energy Consumers Coalition (VECC) submitted a letter on December 7, 2018 in which it requested eligibility for costs and in that letter VECC acknowledged that it was late filing the request. On December 12, 2018, Enbridge Gas Distribution (Enbridge) filed a letter stating that it had no objections with the cost claims filed by CBA, CCC, FRPO, IGUA, LPMA and SEC. However, Enbridge stated that it reviewed the letter submitted by VECC and although VECC's request deviated from the direction outlined in the OEB's April 12, 2018 letter, it had no concerns with an award of costs to VECC provided that costs were within the OEB's prescribed guidance of a maximum of 10 hours.

This Decision and Order is being issued by the Delegated Authority without holding a hearing pursuant to section 6(4) of the OEB Act.

OEB Findings

The OEB notes that VECC did not apply for cost eligibility until after the April 22, 2018 deadline specified in the OEB's April 12, 2018. However, VECC provided comments on the Draft Report that were helpful in developing the Final Report. The OEB further notes that no objections were received from stakeholders related to VECC's request for costs. Therefore, the OEB finds VECC eligible for costs. VECC is reminded to file requests for cost eligibility on time in the future.

The OEB has reviewed the cost claims filed by CBA, CCC, FRPO, IGUA, LPMA, SEC and VECC (collectively Eligible Participants) to ensure they were compliant with the OEB's *Practice Direction on Cost Awards*. The OEB finds that all the claims are reasonable and approves the cost awards for the Eligible Participants as follows:

• Canadian Biogas Association	\$3,493.96
• Consumers Council of Canada	\$3,729.00
• Federation of Rental-Housing Providers of Ontario	\$9,322.50
• Industrial Gas Users Association	\$7,932.94
• London Property Management Association	\$3,617.13
• School Energy Coalition	\$5,090.65
• Vulnerable Energy Consumers Coalition	\$2,416.61

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 January 9, 2019

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Schedule A

OEB's Decision and Order on Cost Awards

EB-2017-0129

Gas Distributor, Transmitter, Storage Company	Canadian Biogas Association	Consumers Council of Canada	Federation of Rental-housing Providers of Ontario	Industrial Gas Users Association	London Property Management Association	School Energy Coalition	Vulnerable Energy Consumer Coalition	Total
Enbridge Gas Inc. operating as Enbridge Gas Distribution	2,082.78	2,222.90	5,557.24	4,728.91	2,156.20	3,034.59	1,440.56	\$ 21,223.18
Enbridge Gas Inc. Operating as Union Gas	1,402.81	1,497.17	3,742.93	3,185.03	1,452.26	2,043.87	970.26	\$ 14,294.33
EPCOR Natural Gas Limited Partnership	8.37	8.93	22.33	19.00	8.67	12.19	5.79	\$ 85.28
TOTAL	3,493.96	3,729.00	9,322.50	7,932.94	3,617.13	5,090.65	2,416.61	\$ 35,602.79