



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

Ontario

SUPPLEMENTARY DECISION AND ORDER ON COST AWARDS

EB-2017-0127 AND EB-2017-0128

**Mid-Term Review of the Demand Side Management Framework
for Natural Gas Distributors (2015-2020)**

By Delegation Before: Theodore Antonopoulos

August 29, 2019

On April 4, 2019 the OEB issued the initial Decision and Order on Cost Awards for the Natural Gas Demand Side Management (DSM) Framework Mid-Term Review policy consultation. In its findings, the OEB denied the cost claim from Enerlife Consulting Inc. in the amount of \$11,254.80. Enerlife Consulting Inc. submitted costs related to its participation in the Stakeholder Meeting (including making a presentation) and written comments following the Stakeholder Meeting. Enerlife Consulting Inc. was not a registered participant in the consultation. The OEB indicated that Enerlife Consulting Inc. did not explain how it meets the cost eligibility criteria set out in section 3.03 of the OEB's *Practice Direction on Cost Awards* (the Practice Direction) and did not provide information that may assist the OEB in making a determination on whether a party is eligible for an award of costs as contemplated in section 3.04 of the Practice Direction.

However, the OEB granted Enerlife Consulting Inc. the ability to re-submit its claim with an explanation addressing its eligibility as it pertains to the OEB's Practice Direction.

On April 5, 2019, Enerlife Consulting Inc. responded that it was invited by the Building Owners and Managers Association (BOMA) in advance of the September 6, 2019 Stakeholder Meeting to make a presentation, as it was felt that Enerlife Consulting Inc.'s experience and expertise might be of value to the OEB. Enerlife Consulting Inc. indicated that its participation was confirmed by OEB staff on September 1, 2018 after which Enerlife Consulting Inc. prepared its presentation. The OEB notes that there were no discussions pertaining to cost awards with OEB staff.

Enerlife Consulting Inc. indicated that it is applying for costs it has incurred under section 3.08 of the Practice Direction. Section 3.08 states that "The Board may, in appropriate circumstances, award an honorarium in such amounts as the Board determines appropriate recognizing individual efforts in preparing and presentation an intervention, submission or written comments."

OEB Findings

The OEB finds that Enerlife Consulting Inc. is approved for an honorarium in the amount of \$3,300.

Enerlife Consulting Inc. is not an eligible party under the OEB's rules set out in section 3.03 of the Practice Direction. Enerlife Consulting Inc. is a private business that provides energy efficiency solutions and advice related to high performance green buildings. Although Enerlife Consulting Inc. was encouraged to participate by BOMA,

this does not in itself grant cost eligibility. In fact, Enerlife Consulting Inc. did not register as a participant to this consultation.

However, Enerlife Consulting Inc. participated in the Mid-Term Review consultation in good faith, and did so following the confirmation of its participation by OEB staff. Enerlife Consulting Inc. made a presentation at the Stakeholder Meeting that was within the scope of the OEB's DSM Mid-Term Review and provided information that was requested by certain parties in their consideration of the issues. Therefore, Enerlife Consulting Inc. is awarded an honorarium, under section 3.08 of the Practice Direction, in the total amount of \$3,300. This amount reasonably acknowledges time spent by Enerlife Consulting Inc. for the presentation at the Stakeholder Meeting, including preparation and responses to follow-up information.

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 August 29, 2019

ONTARIO ENERGY BOARD

Original Signed By

Theodore Antonopoulos
Vice President
Applications Division

Schedule A

OEB's Supplemental Decision and Order on Cost Awards

EB-2017-0127 / EB-2017-0128

Gas Distributor, Transmitter, Storage Company	Enerlife Consulting Inc.
Enbridge Gas Inc.	\$ 3,292.08
EPCOR Natural Gas Limited Partnership	\$ 7.92
TOTAL	\$ 3,300.00