

# **DECISION AND ORDER ON COST AWARDS**

**EB-2018-0331**

**ENBRIDGE GAS INC.**

**EPCOR NATURAL GAS LIMITED PARTNERSHIP**

**Applications for the Disposition of Cap and Trade-Related Deferral  
and Variance Accounts for the period 2016-2018**

**BEFORE: Susan Frank**  
Presiding Member

**Michael Janigan**  
Member

---

**October 23, 2019**

## INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to an Enbridge Gas Inc. (Enbridge Gas) and EPCOR Natural Gas Limited Partnership (EPCOR Gas) (collectively, the Gas Utilities) proceeding.

On December 7, 2018, the OEB issued a Notice of Hearing and Procedural Order No. 1 for a combined hearing to review the cap and trade-related deferral and variance account balances for the Gas Utilities under section 36 of the *Ontario Energy Board Act, 1998*.

In this proceeding, the Gas Utilities requested approval to dispose of the 2016-2018 cap and trade-related deferral and variance account balances relating to the discontinuance of the provincial cap and trade program. These balances were contained in three separate accounts:

- Greenhouse Gas Emissions Impact Deferral Account (GGEIDA)
- Greenhouse Gas Emissions Compliance Obligation – Customer-Related (GGECO-Customer-Related)
- Greenhouse Gas Emissions Compliance Obligation – Facility-Related (GGECO-Facility-Related).

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

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association, Greater Toronto (BOMA)
- Consumer Council of Canada (CCC)
- Canadian Manufacturers & Exporters (CME)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Sustainable Energy Association (OSEA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On September 12, 2019, the OEB issued its Decision and Rate Order in which it set out the process for intervenors to file their cost claims, for the Gas Utilities to object to the claims and for intervenors to respond to any objections raised by the Gas Utilities.

APPo, BOMA, CME, IGUA, LPMA, OSEA, SEC and VECC filed cost claims by the deadline specified in the Decision. CCC's cost claim was filed on September 30, 2019 and VECC's on October 3, 2019 and are accepted by the OEB notwithstanding the late filing. On September 26, 2019, Enbridge Gas filed a letter stating that it had no objections to the cost claims received from APPo, BOMA, CCC, CME, IGUA, LPMA, OSEA and SEC. On October 8, 2019, EPCOR Gas filed a letter stating that it had no objections to the cost claims received from APPo, BOMA, CCC, CME, IGUA, LPMA, OSEA and SEC. By email, Enbridge Gas (on October 7, 2019) and EPCOR Gas (on October 8, 2019), stated that they had no objections to the cost claim received from VECC.

## Findings

The OEB has determined that the cost awards granted in this proceeding will be allocated to the two applicants using the OEB section 30 cost assessment methodology.<sup>1</sup> This will result in a cost allocation that is proportionate to the number of customers each utility has.

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

The OEB finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The OEB finds that the cost claims are reasonable and each of these claims shall be reimbursed by the Gas Utilities.

---

<sup>1</sup> *Ontario Energy Board Act, 1998*, S.O. 1998, Chapter 15, Schedule B, page 26 of 90

**THE ONTARIO ENERGY BOARD ORDERS THAT:**

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

• Association of Power Producers of Ontario	\$7,408.83
• Building Owners and Managers Association, Greater Toronto	\$6,931.20
• Consumer Council of Canada	\$3,720.05
• Canadian Manufacturers & Exporters	\$3,366.08
• Industrial Gas Users Association	\$6,466.01
• London Property Management Association	\$3,645.65
• Ontario Sustainable Energy Association	\$740.18
• School Energy Coalition	\$5,959.97
• Vulnerable Energy Consumers Coalition	\$3,736.96

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

• Association of Power Producers of Ontario	\$17.82
• Building Owners and Managers Association, Greater Toronto	\$16.67
• Consumer Council of Canada	\$8.95
• Canadian Manufacturers & Exporters	\$8.10
• Industrial Gas Users Association	\$15.56
• London Property Management Association	\$8.77
• Ontario Sustainable Energy Association	\$1.78
• School Energy Coalition	\$14.34
• Vulnerable Energy Consumers Coalition	\$9.06

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

**DATED** at Toronto October 23, 2019

**ONTARIO ENERGY BOARD**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary