



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

DECISION ON COST AWARD ELIGIBILITY

EB-2019-0255

**Potential Projects to Expand Access to Natural
Gas Distribution**

By Delegation, Before: Theodore Antonopoulos

December 30, 2019

INTRODUCTION

On December 12, 2019, the Ontario Energy Board (OEB) received a [letter](#) from the Minister of Energy, Northern Development and Mines and the Associate Minister of Energy under section 35 of the *Ontario Energy Board Act, 1998* asking the OEB to examine and report back to the Ministry by August 31, 2020 with information on potential projects to expand access to natural gas distribution to communities that are not currently connected to a natural gas distribution system.

On December 19, 2019, in response to the Section 35 Letter, the OEB issued [Draft Guidelines](#) for Potential Projects to Expand Access to Natural Gas Distribution (Draft Guidelines) for stakeholder comment. Parties interested in participating in the consultation were asked to indicate their intent to participate as well as any requests for cost eligibility, by filing a letter with the OEB by December 23, 2019. The OEB stated that it was waiving the part of its usual cost award eligibility process that allows the regulated natural gas distributors from whom any cost awards will be recovered to object to requests for cost award eligibility.

The following parties requested to participate in the consultation (* denotes a request for cost eligibility):

- Building Owners and Managers Association, Greater Toronto*
- Canadian Propane Association*
- Consumers Council of Canada*
- Corporation of the Town of Marathon¹
- Enbridge Gas Inc.
- Energy Probe Research Foundation*
- Environmental Defence*
- EPCOR Natural Gas Limited Partnership
- Federation of Rental-housing Providers of Ontario*
- Green Energy Coalition
- Northeast Midstream Corporation
- Northwatch*
- Northwestern Ontario Chambers of Commerce Coalition*²
- Ontario Energy Association

¹ Also includes the Township of Manitouwadge, Township of Schreiber, Township of Terrace Bay and the Municipality of Wawa.

² Includes Thunder Bay Chamber of Commerce and Chambers of Commerce of Northwestern Ontario.

- Ontario Federation of Agriculture*
- Pollution Probe*
- Red Rock Indian Band and Bignwi Neyaashi Anishinaabek First Nation*³
- School Energy Coalition*
- Vulnerable Energy Consumers Coalition*

This cost eligibility Decision is being issued by delegated authority under section 6 of the *Ontario Energy Board Act, 1998*.

OEB FINDINGS

All parties that filed letters of intent with the OEB are granted participation status in this consultation.

The OEB has reviewed the requests for cost eligibility from parties to ensure they were compliant with section 3 of the OEB's [Practice Direction on Cost Awards](#). While there are some parties that have not fully explained how they meet the requirements of section 3, given the unique nature of this initiative and the limited number of hours afforded for comments on the Draft Guidelines, the OEB is prepared to approve all requests for cost eligibility. This finding should not be construed in any way as predictive of the OEB's determinations of cost eligibility in future consultations.

Parties are reminded that any awards of costs will be dependent on the extent to which the parties' comments relate directly to: i) the Draft Guidelines, ii) the sufficiency of the 90-day timeline, iii) information that parties believe should be treated as confidential as per the OEB's *Rules of Practice and Procedure* and its *Practice Direction on Confidential Filings* and iv) the two approaches for filing information proposed for Certificate and non-Certificate holders.

The OEB notes that there are stakeholders with overlapping interests. The OEB expects that participants with similar viewpoints will coordinate their activities to the extent possible in order to increase efficiency and minimize costs.

A decision and order on cost awards will be issued at a later date, typically at the end of the consultation. The OEB reminds parties that the maximum hours (five) allocated is per party.

³ One request was filed representing both communities, therefore the two communities will be treated as a single party.

DATED at Toronto, December 30, 2019

ONTARIO ENERGY BOARD

Original Signed By

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Vice President
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