

# **DECISION AND ORDER ON COST AWARDS**

**EB-2019-0105**

**ENBRIDGE GAS INC.**

**Application for the disposition of amounts recorded in certain  
deferral and variance accounts and approval of the earnings  
sharing amount**

**BEFORE: Cathy Spoel**  
Presiding Member

**Michael Janigan**  
Member

---

**April 1, 2020**

## 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) proceeding.

Enbridge Gas filed an application dated July 18, 2019 with the OEB under section 36 of the *Ontario Energy Board Act*, S.O. 1998, c.15, (Schedule B) for an order approving the disposition of balances in certain deferral and variance accounts.

Effective January 1, 2019, the former Enbridge Gas Distribution Inc. (EGD) and the former Union Gas Limited (Union) amalgamated to become Enbridge Gas. Enbridge Gas operates four rate zones: EGD, Union South, Union North West and Union North East.<sup>1</sup>

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

- Building Owners and Managers Association Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Greenhouse Vegetable Growers (OGVG)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On February 6, 2020, the OEB issued its Decision and Rate Order in which it set out the process for intervenors to file their cost claims, for Enbridge Gas to object to the claims and for intervenors to respond to any objections raised by Enbridge Gas.

The OEB received cost claims from CME, CCC, Energy Probe, FRPO, LPMA, OGVG, SEC and VECC. Through e-mail, BOMA and IGUA stated that they would not submit a cost claim. On February 27, 2020, Enbridge Gas filed a letter stating that it had no objections to the cost claims but noted that there were a few outliers in the cost claim from some intervenors compared to the average of the rest.

---

<sup>1</sup> Union South, Union North West and Union North East rate zones are collectively referred to as Union rate zones.

On March 3, 2020, FRPO responded to Enbridge Gas' comments and stated that the proceeding was the last deferral account disposition proceeding of the formerly separate proceedings. FRPO stated that they spent extra time on interrogatories and reviewing additional evidence during the settlement discussions. FRPO further noted that additional evidence was filed with the Settlement Proposal as a result of the interrogatories they posed in this proceeding, and the concerns they had raised in previous proceedings.

On March 4, 2020, Enbridge Gas responded and observed that FRPO asked more interrogatories than any other party, and took considerably more time than other intervenors to prepare their interrogatories.

### Findings

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

The OEB notes that while FRPO's claim is higher than those filed by other intervenors, it appears reasonable given the issues dealt with by FRPO that were not raised in such detail by other intervenors. The OEB therefore finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The OEB finds that the claims of CME, CCC, Energy Probe, FRPO, LPMA, OGVG, SEC and VECC are reasonable and each of these claims shall be reimbursed by Enbridge Gas Inc.

### 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:

• Canadian Manufacturers & Exporters	\$4,725.66
• Consumers Council of Canada	\$8,390.25
• Energy Probe Research Foundation	\$13,445.63
• Federation of Rental-housing Providers of Ontario	\$21,101.16
• London Property Management Association	\$6,227.43
• Ontario Greenhouse Vegetable Growers	\$4,817.19
• School Energy Coalition	\$6,627.45
• Vulnerable Energy Consumers Coalition	\$7,974.80

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

**DATED** at Toronto April 1, 2020

**ONTARIO ENERGY BOARD**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary