



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION AND ORDER ON COST AWARDS

EB-2019-0255

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

By Delegation Before: Theodore Antonopoulos

December 3, 2020

INTRODUCTION AND SUMMARY

On March 5, 2020, following a stakeholder consultation process, the Ontario Energy Board (OEB) issued its [final Guidelines for Potential Projects to Expand Access to Natural Gas Distribution \(Guidelines\)](#) that identify the information that was to be filed by interested project proponents for inclusion in the OEB's report to the Ministry.

On July 17, 2020, Enbridge Gas Inc. (Enbridge Gas) filed a [letter](#) with the OEB requesting that all information related to projects proposed by it and by any other proponent be kept confidential and not be posted on the OEB's website as contemplated by the OEB or made available pursuant to declarations and undertakings.

In a July 29, 2020 letter, the OEB invited interested participants to comment on Enbridge Gas's request for confidential treatment and made provision for project proponents to reply to those comments. The OEB indicated that cost awards would be available to eligible persons under section 30 of the Ontario Energy Board Act, 1998 in respect of the provision of comments on Enbridge Gas's request for confidential treatment, to a maximum of 2 hours. The OEB indicated that the determinations made by the OEB in the context of the consultation on the development of the Guidelines, in respect of both eligibility for and liability to pay cost awards, would apply.

On November 5, 2020, the OEB issued a Notice of Hearing for Cost Awards (the Notice) in relation to cost eligible activities related to Enbridge Gas's request for confidential treatment of information.

The OEB received cost claims from Energy Probe Research Foundation (Energy Probe), Pollution Probe and School Energy Coalition (SEC). No objections were received from any rate-regulated natural gas distributors.

OEB Findings

The OEB has reviewed the cost claims filed by Energy Probe, Pollution Probe and SEC to ensure they are compliant with the OEB's *Practice Direction on Cost Awards*. The OEB finds that the cost claims are in accordance with the OEB's Notice dated November 5, 2020. The OEB finds that each of these eligible participants is entitled to 100% of its reasonably incurred costs of participating in this proceeding. The OEB approves cost awards for the eligible participants as follows:

• Energy Probe Research Foundation	\$702.90
• Pollution Probe	\$745.80
• School Energy Coalition	\$632.80

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. Costs awarded will be apportioned within the distributor class based on customer numbers. 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 December 3, 2020

ONTARIO ENERGY BOARD

Original Signed By

Theodore Antonopoulos
Vice President
Applications Division

Schedule A

OEB's Decision and Order on Cost Awards

EB-2019-0255

Gas Distributor, Transmitter, Storage Company	Energy Probe Research Foundation	Pollution Probe	School Energy Coalition	Total
Enbridge Gas Inc.	701.17	743.96	631.24	2,076.37
EPCOR Natural Gas Limited Partnership	1.73	1.84	1.56	5.13
Gas Distributor Total	\$ 702.90	\$ 745.80	\$ 632.80	\$ 2,081.50