



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

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# **DECISION AND ORDER ON COST AWARDS**

**EB-2015-0245**

**Natural Gas Demand Side Management**

**Evaluation Advisory Committee**

**By Delegation Before: Theodore Antonopoulos  
Vice President, Applications Division**

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**July 26, 2021**

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## OVERVIEW

On August 21, 2015, the Ontario Energy Board issued [a letter](#) establishing the process to evaluate the results of Natural Gas Demand Side Management programs from 2015 to 2020. As part of the OEB's evaluation process, an Evaluation Advisory Committee (EAC) made up of experts representing both utility and non-utility stakeholders was formed. In the August 21, 2015 letter, the OEB stated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to their participation in the EAC.

Based on the criteria set out in section 3 of the OEB's *Practice Direction on Cost Awards*, the OEB determined that the following persons are eligible (the Eligible Participants) for an award of costs:

- Chris Neme, Energy Futures Group
- Jay Shepherd, Shepherd Rubenstein Professional Corporation
- Dr. Ted Kesik, University of Toronto
- Robert M. Wirtshafter, Wirtshafter Associates, Inc.

The August 21, 2015 letter indicated that costs awarded will be recovered from all rate-regulated natural gas distributors based on their respective distribution revenues. This apportionment was consistent with the methodology that was in place at the time for allocating costs for cost assessment purposes under section 26 of the OEB Act.

On February 9, 2016, the OEB issued [a letter](#) giving notice of changes to its Cost Assessment Model. Specifically, under the revised Cost Assessment Model, cost assessments for distributors are now based on customer numbers rather than revenues. The OEB considers it appropriate to apportion cost awards for this initiative in a manner consistent with the revised Cost Assessment Model, and has therefore determined that costs awarded will be apportioned within the distributor class based on customer numbers rather than revenues.

On June 3, 2021, the OEB issued a Notice of Hearing for Cost Awards in relation to EAC activities from October 12, 2019 to May 31, 2021. The OEB received cost claims from Chris Neme, Energy Futures Group, Jay Shepherd, Shepherd Rubenstein Professional Corporation, Dr. Ted Kesik, University of Toronto and Robert Wirtshafter, Wirtshafter Associates, Inc. On June 21, 2021, Enbridge Gas Inc. filed a letter stating that it had no objections with the cost claims. No comments on cost claims were received by EPCOR Natural Gas Limited Partnership.

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## Findings

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

The OEB finds that the claims are reasonable and within the maximum number of hours eligible for cost awards. The OEB approves cost awards for the Eligible Participants as follows:

- Chris Neme, Energy Futures Group \$9,157.50
- Jay Shepherd, Shepherd Rubenstein Professional Corporation \$28,526.85
- Dr. Ted Kesik, University of Toronto \$28,875.00
- Robert M. Wirtshafter, Wirtshafter Associates, Inc. \$14,181.75

## 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 on Cost Awards* 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 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 **July 26, 2021**

**ONTARIO ENERGY BOARD**

*Original Signed By*

Christine E. Long  
Registrar

Schedule A

OEB's Decision and Order on Cost Awards

EB-2015-0245

<b>Gas Distributor, Transmitter, Storage Company</b>	<b>Chris Neme, Energy Futures Group</b>	<b>Dr. Ted Kesik, University of Toronto</b>	<b>Jay Shepherd, Shepherd Rubenstein Professional Corporation</b>	<b>Robert M. Wirtshafter, Wirtshafter Associates, Inc.</b>	<b>Total</b>
Enbridge Gas Inc	\$9,134.94	\$28,803.88	\$28,456.58	\$14,146.82	\$80,542.22
EPCOR Natural Gas Limited Partnership	\$22.56	\$71.12	\$70.27	\$34.93	\$198.88
<b>Total</b>	<b>\$9,157.50</b>	<b>\$28,875.00</b>	<b>\$28,526.85</b>	<b>\$14,181.75</b>	<b>\$80,741.10</b>