



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

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# **DECISION AND ORDER ON COST AWARDS**

**EB-2020-0134**

**ENBRIDGE GAS INC.**

**Application for 2019 Utility Earnings and Disposition of Deferral  
and Variance Accounts**

**BEFORE:** **Allison Duff**  
Presiding Commissioner

**Robert Dodds**  
Commissioner

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**August 3, 2021**

## OVERVIEW

This is a decision of the Ontario Energy Board on cost claims filed with respect to an Enbridge Gas Inc. proceeding.

Enbridge Gas filed an application with the OEB on September 3, 2020 seeking approval to dispose of 2019 balances in certain deferral and variance accounts and to review its 2019 earnings to determine any earnings sharing amounts with ratepayers.

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

- Building Owners and Managers Association (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)
- Pollution Probe
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On May 6, 2021, the OEB issued its Decision and Order and on July 8, 2021, the OEB issued its Rate Order approving rate adjustments effective October 1, 2021. On June 8, 2021, the OEB issued Procedural Order No. 2 in which it set out the process for intervenors to file their revised cost claims, for Enbridge Gas to raise any objections to the claims and for intervenors to respond to any objections raised by Enbridge Gas.

The OEB received cost claims from BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OGVG, SEC and VECC. Pollution Probe did not file a cost claim. On July 12, 2021, Enbridge Gas filed a letter stating that it had no objections to the cost claims.

## 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 approves the cost claims as filed, with the exception of FRPO, which will be reduced by 9.5 hours for reason described herein.

The OEB will reduce FRPO's preparation time of 18 hours leading to the filing of interrogatories on November 6, 2020 by 7 hours to 11 hours. The OEB finds 18 hours excessive and the 11 hours is in line with other intervenors preparing for the same proceeding. The OEB further notes that FRPO did not file any interrogatories on the supplementary evidence related to the Tax Variance Deferral Account.

The OEB will reduce FRPO's submission preparation time from 4.5 hours by 2.5 hours to 2 hours. The OEB finds 4.5 hours excessive given that FRPO filed one page, supporting SEC's submission. SEC, who filed the submission, billed 7.8 hours.

The OEB finds that the cost claims of BOMA, CME, CCC, Energy Probe, IGUA, LPMA, OGVG, SEC and VECC are reasonable as is the adjusted claim of FRPO and each of these cost claims shall be reimbursed by Enbridge Gas.

#### **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:

• Building Owners and Managers Association	\$12,917.93
• Canadian Manufacturers & Exporters	\$4,514.35
• Consumers Council of Canada	\$12,678.60
• Energy Probe Research Foundation	\$13,975.46
• Federation of Rental-housing Providers of Ontario	\$16,407.60
• Industrial Gas Users Association	\$13,111.39
• London Property Management Association	\$13,387.11
• Ontario Greenhouse Vegetable Growers	\$9,241.14
• School Energy Coalition	\$14,083.19
• Vulnerable Energy Consumers Coalition	\$14,749.09

**DATED** at Toronto August 3, 2021

#### **ONTARIO ENERGY BOARD**

*Original Signed By*

Christine E. Long  
Registrar