

BY E-MAIL AND WEB POSTING

February 9, 2022

To: All Participants in EB-2021-0146

**Re: Notice of Hearing for Cost Awards
Consultation to Review Annual Update to Natural Gas Supply Plans
OEB File: EB-2021-0146**

Background

On May 18, 2021, the Ontario Energy Board (OEB) announced that it was initiating a consultation to review the annual update to the natural gas supply plans (GSPs) of EPCOR Natural Gas Limited Partnership (ENGLP) in keeping with the gas supply plan assessment process contemplated in the OEB's [*Report of the Board: Framework for the Assessment of Distributor Gas Supply Plans*](#) (Gas Supply Framework).¹

In accordance with the Gas Supply Framework, ENGLP filed the annual update to its GSPs (for both the Aylmer and South Bruce service territories) on April 30, 2021.

In its letter dated May 18, 2021, the OEB established the maximum number of cost-eligible hours that a party can claim for the review of the GSPs (up to 7 hours for the review of the GSPs and written questions, and up to 4 hours for review of responses and written comments). On June 17, 2021, the OEB issued its Decision on Cost Eligibility granting cost eligibility to the Federation of Rental-housing Providers of Ontario (FRPO) and Pollution Probe.

An OEB Staff Report on its review of the Annual Update to the GSPs of ENGLP was issued on November 29, 2021. Following consideration of the OEB Staff Report, the OEB determined that there were no issues that would require a hearing. Therefore, the issuance of the OEB Staff Report marked the conclusion of the consultation.

The maximum numbers of hours and eligible activities are outlined in Appendix A of this Notice.

¹ EB-2017-0129

Hearing on Cost Awards

The OEB is initiating a hearing on its own motion to determine the cost awards for eligible consultation activities that have occurred since May 18, 2021. The decision on costs will be made by an OEB staff member with delegated authority under section 6 of the Ontario Energy Board Act, 1998. The hearing will follow the process set out below.

The OEB intends to proceed by way of written hearing unless a party can satisfy the OEB that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the OEB no later than **seven (7) days** after the date of this Notice.

Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Eligible parties shall submit their cost claims by **February 23, 2022**. The cost claim must be filed with the OEB and served on ENGLP. The cost claims must be completed in accordance with section 10 of the OEB's [Practice Direction on Cost Awards](#).
2. ENGLP will have until **March 2, 2022** to object to any aspect of the costs claimed. The objection must be filed with the OEB and served on the eligible party against whose claim the objection is being made.
3. An eligible party whose cost claim was objected to will have until **March 9, 2022** to file with the OEB a reply submission as to why its cost claim should be allowed. One copy of the reply submission is to be sent by email to the objecting natural gas distributor.
4. The OEB will then issue its decision on cost awards. The OEB's costs may also be addressed in the cost awards decision.

The OEB will use the process set out in section 12 of the Practice Direction to implement the payment of the cost awards. The OEB will therefore act as a clearing house for all payments of cost awards in this process.

How to File Materials

Stakeholders are responsible for ensuring that any documents they file with the OEB **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2021-0146** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Stakeholders are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are now filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this consultation, interested parties must include Case Manager, Khalil Viraney Khalil.Viraney@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-888-632-6273 (Toll free)

If you do not participate in the hearing by filing materials in accordance with this Notice, the OEB may proceed without your participation and you will not be entitled to further notice in this proceeding.

DATED at Toronto, February 9, 2022

ONTARIO ENERGY BOARD

Nancy Marconi
Acting Registrar

Attachment – Appendix A

Notice of Hearing for Cost Awards - Dated February 9, 2022
Consultation to Review Annual Update to Natural Gas Supply Plans
(EB-2021-0146)

Appendix A: Eligible Activities

Cost awards are available for the following activities:

ACTIVITY	TOTAL ELIGIBLE HOURS PER PARTICIPANT FOR EACH GSP
Review of GSP & submission of written questions, if any	Up to 7 hours
Review of responses and written comments on GSP, if any	Up to 4 hours