



BY EMAIL AND WEB POSTING

October 25, 2022

To: All Participants in EB-2022-0141

**Re: Notice of Hearing for Cost Awards
Consultation to Review the 2022 Update to the Natural Gas Supply Plans of
EPCOR Natural Gas Limited Partnership (Aylmer and South Bruce)
OEB File Number: EB-2022-0141**

On May 10, 2022, the Ontario Energy Board (OEB) announced that it was initiating a consultation to review the annual update to the natural gas supply plans (GSP) of EPCOR Natural Gas Limited Partnership (EPCOR) 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, EPCOR filed the annual update to its GSPs (for both the Aylmer and South Bruce service territories) on April 29, 2022.

In its letter dated May 10, 2022, 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, 2022, the OEB issued its Decision on Cost Eligibility granting cost eligibility to Pollution Probe.

An OEB Staff Report on its review of the Annual Update to the GSPs of EPCOR was issued on October 25, 2022. 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.

Notice of Hearing

The OEB is initiating a hearing on its own motion to determine the cost awards that will be made in accordance with section 30 of the *Ontario Energy Board Act, 1998* in

¹ EB-2017-0129

relation to eligible consultation activities that have occurred since May 10, 2022. Costs awarded will be recovered from EPCOR.

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 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. Pollution Probe shall submit its cost claims by **November 8, 2022**. The cost claim must be filed with the OEB and served on EPCOR. The cost claim must be completed in accordance with section 10 of the OEB's [Practice Direction on Cost Awards](#).
2. EPCOR will have until **November 15, 2022** to object to any aspect of the costs claimed. The objection must be filed with the OEB and served on Pollution Probe.
3. Pollution Probe will have until **November 22, 2022** to file with the OEB a reply submission as to why its cost claim should be allowed. The reply submission is to be sent by email to EPCOR.
4. EPCOR shall pay the OEB's costs of and incidental to this proceeding upon receipt of the OEB's invoice.

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 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-2022-0141** 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, Petar Prazic, Petar.Prazic@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, October 25, 2022

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar