

Ontario Energy  
Board

Commission de l'énergie  
de l'Ontario



EB-2007-0599

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Sched. B);

**AND IN THE MATTER OF** an application by Union Gas Limited, pursuant to section 36 of the *Ontario Energy Board Act, 1998*, for an order or orders approving the rate or rates charged to gas vendors for Invoice Vendor Adjustment fee as of June 1, 2007.

**BEFORE:** Cynthia Chaplin  
Presiding Member

Cathy Spoel  
Member

## DECISION AND ORDER ON COST AWARDS

### Background

Union Gas Limited ("Union") filed an application on April 4, 2007 (the "Application") with the Ontario Energy Board ("Board") under section 36 of the *Ontario Energy Board Act, 1998*, S.O. c. 15, Schedule B, for an order of the Board approving the rate or rates charged to gas vendors for Invoice Vendor Adjustments ("IVA"), effective June 1, 2007. Union's Application has been given Board File No. EB-2007-0599.

On April 19, 2007, the Board issued a Notice of Written Hearing and Procedural Order No. 1 (the "Notice"), which set out the case timetable and indicated that the Board had automatically accepted the intervenors of record in Union's last rates case (EB-2005-0520) as intervenors in this proceeding. The Notice also indicated that any party that expected to seek cost awards should file a letter with Union and the Board by April 30, 2007.

On May 4, 2007, the Board issued Procedural Order No. 2 granting Union's request for a change to the case timetable.

A technical conference was held on May 9, 2007, where Union was requested to provide answers to interrogatories from intervenors and Board staff. Subsequently, a settlement conference was held on May 9, 2007, and a Settlement Agreement was filed with the Board on May 15, 2007.

The Board issued its Decision on May 24, 2007, and directed that any party eligible for an award of costs must file a claim with the Board and Union no later than June 11, 2007. If Union had any comments concerning any of the claims, these concerns were to be forwarded to the Board and to the claimant by June 18, 2007. Any response to Union's comments was to be filed with the Board and Union by June 25, 2007.

The Industrial Gas Users Association ("IGUA") filed a cost claim with the Board and copied Union.

No comments were received from Union.

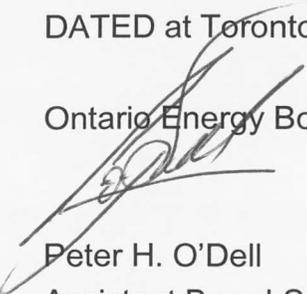
The Board has reviewed IGUA's claim and finds IGUA to be eligible for 100% of its reasonably incurred costs of participating in this proceeding.

**THE BOARD THEREFORE ORDERS THAT:**

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union Gas Limited shall immediately pay the Industrial Gas Users Association the sum of **\$549.40**.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Union shall immediately pay the Board's costs of and incidental to, this proceeding immediately upon receipt of the Board's invoice.

DATED at Toronto, July 5, 2007

Ontario Energy Board



Peter H. O'Dell

Assistant Board Secretary