Ontario Energy Board P.O. Box 2319 27th. Floor 2300 Yonge Street Toronto ON M4P 1E4 Telephone: 416- 481-1967 Facsimile: 416- 440-7656 Toll free: 1-888-632-6273 Commission de l'Énergie de l'Ontario C.P. 2319 27e étage 2300, rue Yonge Toronto ON M4P 1E4 Téléphone; 416-481-1967 Télécopieur: 416-440-7656 Numéro sans frais: 1-888-632-6273



BY EMAIL ONLY

December 8, 2008

To: Integrated Grain Processors Co-operative Inc. ("IGPC")

Town of Aylmer

Re: Cost Awards for Proceeding (EB-2008-0273)

Application by Union Gas Limited pursuant to Section 36 of the Ontario Energy Board Act, 1998, seeking changes to reduce its financial exposure in regard to a Bundled T Gas Contract and an M9 Delivery Contract with

**Natural Resource Gas Limited** 

On August 1, 2008 Union Gas Limited ('Union") filed an application pursuant to Section 42(1) of the *Ontario Energy Board Act, 1998* (the "Act") seeking the Board's approval to discontinue service to Natural Resource Gas Limited ("NRG"). The application was amended on October 9<sup>th</sup> and Union requested alternative relief under Sections 23 and 36 of the Act.

IGPC and the Town of Aylmer filed requests for intervenor status and cost eligibility with the Board on September 23 and 25, 2008, respectively. The Board confirmed the intervention status and cost eligibility of the Town of Aylmer and of IGPC on October 9 and October 10, 2008, respectively.

On Monday, October 20, 2008, the Board held an oral hearing in the Town of Aylmer to address the issues in this proceeding and on November 27, 2008 the Board issued its Decision and Order.

## **Steps for Processing Cost Claims**

In regard to cost eligibility for the two intervenors of record the Decision and Order of November 27, 2008 stated, in part, that:

"The intervenors participating in this hearing shall be entitled to their reasonably incurred costs which costs are to be paid by NRG."

The Board has determined that following process will be followed with respect to the filing of cost claims. Once this process is complete, the Board will issue its decision on cost awards, including the recovery of the Board's costs in this matter.

- If any intervenor intends to file cost claim, it shall file that cost claim in accordance with the Board's Practice Direction on Cost Awards with the Board with a copy sent to NRG no later than seven days after date of this letter.
- 2. NRG may object to any cost claim **no later than seven days** from the date it receives that cost claim by filing its submission to the Board and delivering a copy to the intervenor in relation to whose cost claim the objection is made.
- 3. If an objection to an intervenor's cost claim is filed, that intervenor will have seven days from the date of NRG's submission to make a reply submission to the Board, with a copy to NRG as to why its cost claim should be allowed.
- 4. All filings to the Board must quote file number EB-2008-0273, be made through the Board's web portal at www.errr.oeb.gov.on.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file three (3) paper copies. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

**DATED** at Toronto, December 8, 2008 **ONTARIO ENERGY BOARD** 

Kirsten Walli Board Secretary

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Ontario Energy Board P.O. Box 2319 2300 Yonge Street Suite 2700 Toronto, Ontario M4P 1E4

c: Mark Bristoll, Natural Resource Gas Limited Mark Kitchen, Union Gas Limited