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DECISION AND ORDER ON COST ELIGIBILITY AND COST AWARDS

EB-2022-0295

Natural Gas Demand Side Management

**Stakeholder Advisory Group
Evaluation Advisory Committee**

By Delegation Before: Theodore Antonopoulos
Vice President, Applications

February 20, 2024

OVERVIEW

This Decision and Order provides the OEB's determinations on cost eligibility and cost awards regarding natural gas demand side management (DSM) Stakeholder Advisory Group (SAG) and Evaluation Advisory Committee (EAC) activities from April 1, 2023 to October 31, 2023.

On December 8, 2022, the Ontario Energy Board (OEB) issued a [letter](#) that initiated a process to establish a new Natural Gas Demand Side Management (DSM) Stakeholder Advisory Group (SAG), and to update the OEB's existing Evaluation Advisory Committee (EAC), a subcommittee of the DSM SAG. The DSM SAG is tasked with providing input on the OEB's natural gas conservation potential study and on Enbridge Gas Inc.'s (Enbridge Gas) DSM plan for the 2026-2030 term. The EAC is tasked with providing input on DSM program evaluation related activities.

The letter also stated that cost awards would be available for eligible participants under Section 30 of the *OEB Act, 1998* in relation to their participation in the DSM SAG and EAC and that costs awarded would be recovered from all rate-regulated natural gas distributors based on their respective distribution revenues. The OEB instructed individuals applying for membership to either the SAG or EAC to indicate if they are requesting cost eligibility and explain how they meet the criteria for an award of costs outlined in Section 3 of the OEB's *Practice Direction on Cost Awards* (Practice Direction).

On November 28, 2023, the OEB issued its Notice of Hearing for Cost Eligibility and Cost Awards, setting out the cost claim process. The Notice also stated that costs awarded will be in relation to eligible DSM SAG and EAC activities that occurred from April 1, 2023 to October 31, 2023, and defined the maximum hours that could be claimed for each eligible activity.

The OEB received cost claims from Chris Neme (Energy Futures Group), Erika Lontoc (Erika Lontoc Consulting), Ted Weaver (First Track Consulting Services / Sunshine Bay Energy Consulting), Francis Wyatt (Green Energy Economics Group), Katherine Johnson (Johnson Consulting Group), Jay Shepherd (Shepherd Rubenstein Professional Corporation), Dr. Ted Kesik (University of Toronto), and Robert Wirtshafter (Wirtshafter Associates Inc.).

Findings

The OEB has reviewed the claims filed to ensure that they are compliant with the Practice Direction.

The OEB has determined that all participants filing cost claims meet the criteria set out in the OEB's Practice Direction and are therefore eligible for cost awards. The OEB finds that the cost claims are reasonable and within the maximum number of hours eligible for cost awards. The OEB approves cost awards for the eligible participants as follows:

• Chris Neme, Energy Futures Group	\$19,800.00
• Erika Lontoc, Erika Lontoc Consulting	\$18,178.88
• Ted Weaver, First Track Consulting Service (Sunshine Bay Energy Consulting)	\$24,518.21
• Francis Wyatt, Green Energy Economics Group	\$18,727.50
• Katherine Johnson, Johnson Consulting Group	\$7,425.00
• Jay Shepherd, Shepherd Rubenstein Professional Corporation	\$19,193.20
• Ted Kesik, University of Toronto	\$17,160.00
• Robert Wirtshafter, Wirtshafter Associates Inc.	\$17,985.00

The OEB also approves an amount of \$120,757.42 for recovery of the OEB's costs of and incidental to this consultation from rate-regulated natural gas distributors.

Process for Paying the Cost Awards

The amount payable by each rate-regulated natural gas distributor in relation to costs awarded to each eligible participant is listed in Schedule A to this Decision and Order. However, the amounts will not be paid directly by the distributor to the eligible participant.

The OEB will use the process set out in Section 12 of the Practice Direction to implement the payment of the approved cost awards whereby the OEB will act as a clearing house for all payments of cost awards. Consistent with this process, each distributor is issued one invoice that covers all cost awards payable for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of proceedings and consultations, including this proceeding.

To address the OEB's costs, including consultant costs, the OEB will proceed by way of progress billing and invoice the distributors on an ad hoc basis. This will ensure timely billing for all parties as the OEB's evaluation activities included within this consultation process can span multiple financial years.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Each distributor listed in Schedule A to this Decision and Order will receive an invoice from the OEB that includes the total costs set out in Schedule A. The payment shall be due at the same time as all other cost assessments under section 26 of the Ontario Energy Board Act, 1998.

DATED at Toronto February 20, 2023

ONTARIO ENERGY BOARD

Theodore Antonopoulos
Vice President, Applications

Schedule A

Decision and Order on Cost Awards

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Gas Distributor Company	Chris Neme, Energy Future Group	Erika Lontoc, Erika Lontoc Consulting	Ted Weaver, First Track Consulting Service (Sunshine Bay Energy Consulting)	Francis Wyatt, Green Energy Economics Group	Katherine Johnson, Johnson Consulting Group	Jay Shepherd, Shepherd Rubenstein Professional Corporation	Ted Kesik, University of Toronto	Robert Wirtshafter, Wirtshafter Associates Inc.	Cost Awards	OEB Cost	Total Cost
Enbridge Gas Inc	\$19,735.49	\$18,119.65	\$24,438.33	\$18,666.48	\$7,400.81	\$19,130.67	\$17,104.09	\$17,926.40	\$142,521.91	\$120,363.97	\$262,885.88
EPCOR Natural Gas Limited Partnership	\$64.51	\$59.23	\$79.88	\$61.02	\$24.19	\$62.53	\$55.91	\$58.60	\$465.88	\$393.45	\$859.33
Gas Distribution Total	\$19,800.00	\$18,178.88	\$24,518.21	\$18,727.50	\$7,425.00	\$19,193.20	\$17,160.00	\$17,985.00	\$142,987.79	\$120,757.42	\$263,745.21