



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

DECISION AND ORDER ON COST AWARDS

EB-2023-0062

ENBRIDGE GAS INC.

**Application for the disposition of 2021 Demand Side Management
Deferral and Variance Accounts**

BEFORE: Patrick Moran
Presiding Commissioner

David Sword
Commissioner

July 4, 2024

OVERVIEW

Enbridge Gas Inc. filed an application with the Ontario Energy Board (OEB) on April 28, 2023, seeking approval to clear 2021 deferral and variance account balances in three Demand Side Management (DSM) deferral and variance accounts, related to the delivery of natural gas conservation and energy efficiency programs. The application was filed in accordance with the OEB's Report of the Board: DSM Framework for Natural Gas Distributors, the 2015-2020 DSM Decision, and the one-year extension to the 2015-2020 multi-year DSM plan.^{1, 2, 3}

The OEB granted Canadian Manufacturers & Exporters (CME), Ontario Greenhouse Vegetable Growers (OGVG), School Energy Coalition (SEC), Small Business Utility Alliance (SBUA), and Vulnerable Energy Consumers Coalition (VECC) intervenor status and cost award eligibility.

On May 7, 2024, the OEB issued its Decision and Order in which it set out, among other things, the cost award process.

The OEB received cost claims from SEC, SBUA and VECC. CME and OGVG indicated that they had no intentions of filing a cost claim. Enbridge Gas noted in its letter dated June 24, 2024, that it had no objections to the cost claims of SBUA, SEC and VECC.

Findings

The OEB has reviewed the claims filed to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

SBUA has the highest claim, spending more than two times more hours on discovery activities than the other intervenors, and accounting for half of the total intervenor hours. SBUA utilized the services of three legal professionals, while the other intervenors each relied on one. SBUA provided no explanation for why this was necessary, particularly given the narrow scope of the application. Finally, while it is clear that SEC did the heavy lifting on the main issues to be determined and VECC coordinated its submissions on that basis, SBUA did not. Therefore, the OEB reduces SBUA's claim to \$2,000.

¹ Report of the Board: Demand Side Management Framework for Natural Gas Distributors (2015-2020), EB-2014-0134, December 22, 2014

² EB-2015-0029 / 0049, Decision and Order, January 20, 2016

³ EB-2019-0271, Decision and Order, July 16, 2020

Enbridge Gas shall reimburse the claims of SEC and VECC as filed and SBUA's claim as reduced.

THE ONTARIO ENERGY BOARD ORDERS THAT:

Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge Gas shall immediately pay the following amounts to the intervenors for their costs:

- | | |
|--------|------------|
| • SBUA | \$2,000.00 |
| • SEC | \$3,840.87 |
| • VECC | \$2,401.01 |

DATED at Toronto July 4, 2024

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar