



**FINANCIAL SERVICES DEPARTMENT  
KITCHENER UTILITIES**

Jim Gruenbauer, CMA  
Manager, Regulatory Affairs & Supply  
City Hall, P.O. Box 1118  
200 King St. West, 5<sup>th</sup> Floor  
Kitchener, Ontario  
Canada, N2G 4G7  
Phone: 519-741-2616  
Cell: 519-580-3568  
Fax: 519-741-2633  
TDD: 519-741-2385  
e-mail: jim.gruenbauer@kitchener.ca

**BY E-MAIL & COURIER**

December 1, 2008

Ontario Energy Board  
Attn: Ms. Kirsten Walli, Board Secretary  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

**Re: EB-2008-0304 – Enquiry re Cost Claim by City of Kitchener (“Kitchener”)**

On behalf of Kitchener which participated at the oral hearing in the above-noted proceeding, I am writing to seek your guidance with respect to the following passage from Vice-Chair Kaiser’s Decision and Order, dated November 19, 2008, at page 13:

“Mr. Ryder on behalf of the City of Kitchener argued that Union’s failure to disclose should be sanctioned by the Board, by way of a cost penalty. He suggested that the costs should be borne by the shareholder, not the ratepayer. I agree. The three intervenors participating in this hearing will be entitled to reasonably incurred costs with costs to be paid by the shareholders of Union.”

Based on this passage from the Decision, Kitchener understands that it is entitled to submit for reasonably incurred costs, subject to the Board’s guidelines in this regard. May we please receive your guidance as to any deadline by which Kitchener must submit its cost claim and who it should be directed to at the Board or at the Applicant, Union Gas Limited?

I apologize for these administrative questions, but Kitchener normally does not seek costs in its regulatory appearances before the Board, nor is it typically awarded costs by the Board, so we are a bit rusty in this area.

Thank you for your assistance in this enquiry.

Sincerely,

James A. Gruenbauer, CMA  
Manager, Regulatory Affairs and Supply

Cc: J. Alick Ryder, Q.C. (RWBH)