

BY E-MAIL AND WEB POSTING

November 5, 2020

**To: All Rate-Regulated Natural Gas Distributors
All Participants in the Consultation on Guidelines for Potential Projects to
Expand Access to Natural Gas (EB-2019-0255)**

**Re: Notice of Hearing for Cost Awards
Consultation on Potential Projects to Expand Access to Natural Gas
Distribution: Confidentiality of Filings
OEB File No.: EB-2019-0255**

Background

On March 5, 2020, following a stakeholder consultation process, the Ontario Energy Board (OEB) issued its [final Guidelines for Potential Projects to Expand Access to Natural Gas Distribution \(Guidelines\)](#) that identify the information that was to be filed by interested project proponents for inclusion in the OEB's report to the Ministry.

On July 17, 2020, Enbridge Gas Inc. (Enbridge Gas) filed a [letter](#) with the OEB requesting that all information related to projects proposed by it and by any other proponent be kept confidential and not be posted on the OEB's website as contemplated by the OEB or made available pursuant to declarations and undertakings.

In a July 29, 2020 letter, the OEB invited interested participants to comment on Enbridge Gas's request for confidential treatment and made provision for project proponents to reply to those comments. The OEB indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in respect of the provision of comments on Enbridge Gas's request for confidential treatment, to a maximum of 2 hours. The OEB indicated that the determinations made by the OEB in the context of the consultation on the development of the Guidelines, in respect of both eligibility for and liability to pay cost awards, will apply.

On October 28, 2020, the OEB issued a letter setting out its determination on the request for confidential treatment received from Enbridge Gas.

Notice of Hearing

The OEB is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the *Ontario Energy Board Act, 1998* in relation to eligible consultation activities in respect of the provision of comments on Enbridge Gas's request for confidential treatment.

The OEB intends to proceed by way of written hearing unless a party can satisfy the OEB that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the OEB no later than **seven (7) days** after the date of this Notice.

Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Eligible persons shall submit their cost claims by **November 16, 2020**. The cost claim must be filed with the OEB and one copy is to be served on each rate-regulated natural gas distributor. The cost claims must be completed in accordance with section 10 of the OEB's *Practice Direction on Cost Awards*.

Eligible persons must use the customized Cost Claim Form attached as Appendix A to this Notice.

2. Natural gas distributors will have until **November 26, 2020** to object to any aspect of the costs claimed. The objection must be filed with the OEB and one copy must be served on the eligible person against whose claim the objection is being made.
3. An eligible person whose cost claim was objected to will have until **December 3, 2020** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the OEB and one copy is to be served on the objecting natural gas distributor.
4. The OEB will then issue its decision on cost awards. The OEB's costs may also be addressed in the cost awards decision.

The OEB will use the process set out in section 12 of its [Practice Direction on Cost Awards](#) to implement the payment of the cost awards. The OEB will therefore act as a clearing house for all payments of cost awards in this process.

All materials filed with the OEB must quote the file number, **EB-2019-0255**, and be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at www.oeb.ca/industry. We encourage the use of RESS; however, parties who have not yet [set up an account](#), may email their documents to registrar@oeb.ca.

All communications should be directed to the attention of the Registrar and be received no later than 4:45 p.m. on the required date.

Email: registrar@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, November 5, 2020

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar

Attachment

Appendix A

Notice of Hearing for Cost Awards

Consultation on Potential Projects to Expand Access to Natural Gas Distribution

EB-2019-0255

**Appendix A: Ontario Energy Board Cost Claim for Consultations:
Affidavit and Summary of Fees and Disbursements**

The form that eligible persons must complete are provided in a separate MS Excel Workbook named, "EB-2019-0255_NOH_Appendix A_Cost_Claim_Form".