



## **Jay Shepherd**

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### **BY EMAIL and RESS**

May 14, 2012  
Our File No. 20120206

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

### **Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

### **Re: EB-2012-0206 – Union Gas Review**

We are counsel for the School Energy Coalition. We have reviewed the letter of today's date by counsel for Union Gas, and respectfully note that the procedure proposed by Union is not consistent with the Board's normal practices to ensure fairness to all parties and a complete record.

In our submission, this proceeding can be viewed as initiated in a practical sense by CME, or as initiated solely by the Board. In the first case, the normal practice would be for CME to make initial submissions, then parties in support, then parties opposed, including Union, then reply by CME. In the second case, the practice has developed that all parties make initial submissions, then all parties reply at the same time to the submissions from others. In both cases, some Board panels require an oral attendance so that the issues can be joined as clearly as possible, but sometimes the amount involved (here, about \$3 million) is not sufficient to warrant that cost.

Both of these orders of written submissions avoid the problem that arises in the Union proposal, i.e. the appearance of an advantage to the utility.



*Jay Shepherd Professional Corporation*

SEC therefore requests that the Board adopt one of these two conventional methods of receiving submissions in this proceeding.

All of which is respectfully submitted.

Yours very truly,

**JAY SHEPHERD P. C.**

Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties