



EB-2015-0029
EB-2015-0049

Union Gas Limited and Enbridge Gas Distribution Inc.

Applications for approval of 2015-2020 demand side management plans.

PROCEDURAL ORDER NO. 3

July 15, 2015

Union Gas Limited (Union) and Enbridge Gas Distribution Inc. (Enbridge) filed applications, dated April 1, 2015, with the Ontario Energy Board (the OEB) under section 36 of the *Ontario Energy Board Act, 1998*, for orders approving their respective demand side management (DSM) plans for the years 2015 to 2020. The OEB decided that it will hear both DSM plan applications as part of a combined proceeding.

The OEB issued Procedural Order No. 1 on May 12, 2015. In Procedural Order No. 1, the OEB granted intervenor status and cost eligibility to a number of parties. The OEB also scheduled dates for the filing of interrogatories, the filing of intervenor evidence and a technical conference.

The OEB issued Procedural Order No. 2 on June 9, 2015. In Procedural Order No. 2, the OEB set out a revised schedule for the proceeding including dates for a technical conference on the applicants' evidence, intervenor evidence, a technical conference on the intervenors' evidence, and an oral hearing.

The OEB reviewed the interrogatory responses related to the applicants' evidence and the transcripts from the technical conference held on July 6 and 7, 2015. The OEB notes that there are a significant number of technical conference undertakings for intervenors to review and consider prior to filing their evidence. As such, the OEB will provide an extension to the deadline for the filing of intervenor evidence to allow intervenors the opportunity to incorporate answers to undertakings given at the

technical conference. Evidence on point which incorporates detailed information will be most useful to the OEB.

The OEB will also set deadlines for the utilities and intervenors to file information that will be useful for establishing a hearing plan. The OEB expects parties to work together to assist OEB staff in developing an efficient hearing plan.

The revised schedule for the proceeding is set out below. The OEB notes that no changes are being made to the dates for the interrogatory responses related to intervenor evidence, the technical conference related to intervenor evidence or the oral hearing.

The OEB would also like to clarify that intervenors, where possible, should attempt to track their incurred costs separately between applicants (e.g. motion specific to one applicant, a technical conference day specific to one applicant, etc.). However, where it is not possible to track costs separately, costs may be tracked on a combined basis. The OEB, in its decision on cost awards, will allocate the intervenor costs to each utility, as appropriate, for recovery.

The OEB considers it necessary to make provisions for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

THE OEB ORDERS THAT:

1. If OEB staff or any intervenor would like to file evidence that is relevant to this proceeding, that evidence shall be filed with the OEB, and copied to Union, Enbridge and intervenors, by **July 27, 2015**.
2. If any party is seeking information and material with respect to any evidence filed by OEB staff or any intervenor that is in addition to the evidence filed with the OEB, and that is relevant to this proceeding, that information shall be requested by written interrogatories filed with the OEB, and copied to Union, Enbridge and intervenors, by **August 4, 2015**.
3. Any party that receives interrogatories on its evidence shall file with the OEB complete responses to the interrogatories and copy the responses to Union, Enbridge and intervenors by **August 12, 2015**.
4. Union, Enbridge, OEB staff and intervenors that file evidence shall file a list of proposed witness panels (and the topics that each panel will cover) by **July 31, 2015**. Union, Enbridge, OEB staff and intervenors shall file preliminary

time estimates for cross-examination of each witness panel (separated by topic) at the oral hearing by **August 5, 2015**.

5. A second transcribed technical conference will be convened on **August 17, 2015** beginning at 9:30 am in the OEB's hearing room at 2300 Yonge Street, 25th Floor, Toronto. The technical conference will continue on **August 18, 2015**, if necessary. The second technical conference will allow parties to clarify matters arising from the interrogatory responses related to the evidence of OEB staff and the intervenors. Parties intending to participate in the technical conference are required to file with the OEB and copy all other parties confirmation of the particular areas of the evidence that they seek to address, or seek clarification on, by **August 13, 2015**. Parties shall also include time estimates for their technical conference questions in these letters.
6. The oral hearing will commence on **August 19, 2015** beginning at 9:30 am in the OEB's hearing room at 2300 Yonge Street, 25th Floor, Toronto. The oral hearing will continue until **August 28, 2015**. At this time, the Board is unable to assess the number of hearing days that will be appropriate. Parties should be prepared to sit the week of **August 31, 2015** to **September 4, 2015** in the event the Board determines additional hearing days are required. Subject to time constraints, the OEB will set aside **September 4, 2015** for Union and Enbridge to deliver oral argument-in-chief. This date will be confirmed as the oral hearing progresses.

All filings to the OEB must quote file numbers **EB-2015-0029 / EB-2015-0049**, be made electronically through the OEB's web portal at www.pes.ontarioenergyboard.ca/eservice in searchable / unrestricted PDF format. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address.

All filings shall use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca/OEB/Industry. If the web portal is not available, parties may email their documents to the address below.

For all electronic correspondence and materials related to this proceeding, parties must include in their distribution lists the Case Manager, Lawrie Gluck at Lawrie.Gluck@ontarioenergyboard.ca and Legal Counsel, Michael Millar at Michael.Millar@ontarioenergyboard.ca.

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

ADDRESS

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Attention: Board Secretary

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DATED at Toronto, July 15, 2015

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary