



EB-2015-0179

## Union Gas Limited

### **Application for approval to expand natural gas service to certain rural and remote communities in Ontario; for certain exemptions to meet revenue recovery requirements that apply to pipeline projects and approval to construct facilities to serve the communities of Milverton, Prince Township and the Chippewas of Kettle and Stony Point and Lambton Shores**

#### **PROCEDURAL ORDER NO. 1 October 16, 2015**

Union Gas Limited (Union) filed an application with the Ontario Energy Board (OEB) on July 23, 2015 seeking approval to provide natural gas service to certain rural and remote communities in Ontario. Union has also proposed changes to how it recovers revenues to meet the investments required, including a proposal to collect a surcharge from new customers and a proposal to collect a contribution from the municipalities of the new communities. Union is also seeking a change to the financial viability tests established by the OEB for natural gas distribution system expansion (E.B.O. 188) which would result in existing Union customers paying a portion of the costs to serve the new communities.

Union has indicated that under its proposal, it can complete approximately 30 projects to provide natural gas service to 20,000 homes and businesses in 34 communities at an estimated cost of \$150 million. In this application, Union has identified five specific projects for which it is seeking rate recovery under section 36 of the *Ontario Energy Board Act, 1998*. The five projects will provide service to the communities of Milverton, Prince Township, Chippewas of Kettle and Stony Point First Nation and Lambton Shores, Walpole Island First Nation and Delaware Nation of Moraviantown.

Of the five communities identified above for expansion, Union is seeking approval to construct facilities under section 90(1) of the *Ontario Energy Board Act* for the communities of Milverton, Prince Township and the Chippewas of Kettle and Stony Point First Nation and Lambton Shores.

A Notice was issued on September 10, 2015 and was served and published as directed by the OEB.

The following parties applied for intervenor status:

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association Toronto (BOMA)
- Canadian Propane Association (CPA)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Enbridge Gas Distribution Inc.
- Epcor Utilities Inc.
- Federation of Rental-Housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- John Frostiak (Chukuni McManus Subdivision Residents)
- London Property Management Association (LPMA)
- Municipalities of Kincardine, Arran-Elderslie and the Township of Huron-Kinloss (South Bruce)
- Northern Cross Energy Limited
- Northeast Midstream LP
- Ontario Federation of Agriculture (OFA)
- Ontario Producers and Storage Companies
- School Energy Coalition (SEC)
- Six Nations Natural Gas Company Limited (SNNG)
- The Corporation of the City of Kitchener (Kitchener)
- The Corporation of the Township of Prince
- Vulnerable Energy Consumers Coalition (VECC)

Each of APPrO, BOMA, CCC, CPA, Energy Probe, FRPO, IGUA, LPMA, OFA, SEC and VECC also applied for cost award eligibility. No objections were received regarding the requests for intervenor status or cost eligibility.

I hereby grant intervenor status to each of the parties listed above. I also find that each of APPrO, BOMA, CCC, CPA, Energy Probe, FRPO, IGUA, LPMA, OFA, SEC and VECC is eligible to apply for an award of costs under the OEB's *Practice*

*Direction on Cost Awards.*

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed. The OEB also expects that intervenors will combine their interventions with those of similarly interested parties, will co-operate with all other parties to the extent possible and will be mindful of avoidable duplication.

The list of intervenors in this proceeding is attached as Schedule A to this procedural order.

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

**IT IS THEREFORE ORDERED THAT:**

1. OEB staff and intervenors that require information and material from Union that is in addition to Union's evidence and that is relevant to the hearing, shall request it by written interrogatories filed with the OEB and delivered to Union and all intervenors by **November 17, 2015**.
2. Union shall file with the OEB complete responses to the interrogatories and deliver them to all intervenors by **December 9, 2015**.
3. A Technical Conference involving OEB staff, intervenors and Union will be convened on **December 15, 2015** starting at 9:30 a.m. The Technical Conference will be held in the OEB's North Hearing Room at 2300 Yonge Street, 25<sup>th</sup> Floor, Toronto.
4. Union shall file the responses to any undertakings given at technical conference by **December 22, 2015**.

All filings to the OEB must quote the file number, EB-2015-0179 and be made electronically in searchable / unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

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

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

E-mail: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto, October 16, 2015

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original signed by*

Kristi Sebalj  
Registrar

**Schedule A**

**To**

**Procedural Order No. 1**

**Union Gas Limited**

**EB-2015-0179**

**Applicant and List of Intervenors**

**October 16, 2015**

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**APPLICANT**

**Rep. and Address for Service**

**Union Gas Limited**

**Chris Ripley**

Manager, Regulatory Applications  
Union Gas Limited  
chatham, on

Tel: 519-436-5476  
Fax: Not Provided  
[CRipley@spectraenergy.com](mailto:CRipley@spectraenergy.com)

**APPLICANT COUNSEL**

**Charles Keizer**

Torys LLP  
79 Wellington St. W.  
Suite 3000, TD South Tower  
P.O. Box 270  
Toronto ON M5K 1N2  
Tel: 416-865-0040  
Fax: 416-865-7380  
[ckeizer@torys.com](mailto:ckeizer@torys.com)

**INTERVENORS**

**Rep. and Address for Service**

**Association of Power  
Producers of Ontario**

**David Butters**

President & CEO  
Association of Power Producers of Ontario  
25 Adelaide St. E.  
Suite 1602  
Toronto ON M5C 3A1  
Tel: 416-322-6549 Ext: 231  
Fax: 416-481-5785  
[David.Butters@appro.org](mailto:David.Butters@appro.org)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Association of Power  
Producers of Ontario**

**John Wolnik**

Elenchus Research Associates Inc.  
34 King Street East  
Toronto ON M5C 2X8  
Tel: 519-474-0844  
Fax: 416-348-9930  
[jwolnik@elenchus.ca](mailto:jwolnik@elenchus.ca)

**Lisa DeMarco**

Counsel  
Zizzo Allan DeMarco LLP  
5 Hazelton Avenue, Suite 200  
Toronto ON M5R 2E1  
Tel: 647-991-1190  
Fax: 888-734-9459  
[Lisa@zadllp.com](mailto:Lisa@zadllp.com)

**Joanna Kyriazis**

Zizzo Allan DeMarco LLP  
41-A Avenue Road  
Toronto ON M5R 2G3  
Tel: 888-389-5798  
Fax: 888-734-9459  
[joanna@zadllp.com](mailto:joanna@zadllp.com)

**Building Owners and  
Managers Association  
Toronto**

**Thomas Brett**

Partner  
Fogler, Rubinoff LLP  
77 King Street West  
Suite 3000  
Toronto ON M5K 1G8  
Tel: 416-941-8861  
Fax: 416-941-8852  
[tbrett@foglers.com](mailto:tbrett@foglers.com)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Building Owners and  
Managers Association  
Toronto**

**Marion Fraser**

President  
Fraser & Company  
33 Harbour Square  
Suite 502  
Toronto ON M5J 2G2  
Tel: 416-941-9729  
Fax: 416-941-8852  
[Marion.Fraser@rogers.com](mailto:Marion.Fraser@rogers.com)

**Canadian Propane  
Association**

**Mike Richmond**

C-Chair  
McMillan Binch LLP  
Brookfield Place, Suite 4400  
Bay Wellington Tower  
181 Bay Street  
Toronto ON M5J 2T3  
Tel: 416-865-7832  
Fax: 416-865-7048  
[mike.richmond@mcmillan.ca](mailto:mike.richmond@mcmillan.ca)

**Andrea Labelle**

Canadian Propane Association  
616-130 Albert Street  
Ottawa ON K1P 5G4  
Tel: 613-683-2271  
Fax: Not Provided  
[andrealabelle@propane.ca](mailto:andrealabelle@propane.ca)



**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Chukuni McManus Residents**

**John Frostiak**

Chukuni McManus Residents  
56 McManus St.  
Balmertown ON P0V 1C0  
Tel: 807-735-9929  
Fax: Not Provided  
[mjfrostiak@bell.net](mailto:mjfrostiak@bell.net)

**Consumers Council of  
Canada**

**Julie Girvan**

Consultant  
Consumers Council of Canada  
62 Hillsdale Ave. East  
Toronto ON M4S 1T5  
Tel: 416-322-7936  
Fax: 416-322-9703  
[jgirvan@uniserve.com](mailto:jgirvan@uniserve.com)

**Enbridge Gas Distribution  
Inc.**

**Andrew Mandyam**

Director  
Enbridge Gas Distribution Inc.  
500 Consumers Rd.  
Toronto ON M2J 1P8  
Tel: 416-495-5499  
Fax: 416-495-6072  
[egdregulatoryproceedings@enbridge.com](mailto:egdregulatoryproceedings@enbridge.com)

**Tania Persad**

Legal Counsel, Regulatory  
Enbridge Gas Distribution Inc.  
500 Consumers Road  
Willowdale ON M2J 1P8  
Tel: 416-495-5891  
Fax: 416-495-5994  
[tania.persad@enbridge.com](mailto:tania.persad@enbridge.com)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Energy Probe Research  
Foundation**

**Roger Higgin**

Sustainable Planning Associates Inc.  
15 Malabar Place  
Toronto ON M5B 1A4  
Tel: 416-391-0738  
Fax: Not Provided  
[spainc@rogers.com](mailto:spainc@rogers.com)

**Shelley Grice**

Project Manager  
Econalysis Consulting Services  
34 King Street East  
Suite 1102  
Toronto ON M5C 2X8  
Tel: 647-880-9942  
Fax: 416-348-0641  
[shelley.grice@rogers.com](mailto:shelley.grice@rogers.com)

**Brady Yauch**

Energy Probe Research Foundation  
225 Brunswick Avenue  
Toronto ON M5S 2M6  
Tel: 416-964-9223 Ext: 236  
Fax: 416-964-8239  
[byauchenergyprobe@gmail.com](mailto:byauchenergyprobe@gmail.com)

**David MacIntosh**

Case Manager  
Energy Probe Research Foundation  
225 Brunswick Avenue  
Toronto ON M5S 2M6  
Tel: 416-964-9223 Ext: 235  
Fax: 416-964-8239  
[DavidMacIntosh@nextcity.com](mailto:DavidMacIntosh@nextcity.com)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**EPCOR Utilities Inc.**

**Karim Kassam**

Vice President  
EPCOR Utilities Inc.  
2000-10423 101 St. NW  
Edmonton AB T5H 0E8  
Tel: 04)542-8281  
Fax: Not Provided  
[kkassam@epcor.com](mailto:kkassam@epcor.com)

**Hanan Campbell**

General Counsel  
EPCOR Utilities Inc.  
2000-10423 101 St. NW  
Edmonton AB T5H 0E8  
Tel: 80)412-4001  
Fax: Not Provided  
[hcampbell@epcor.com](mailto:hcampbell@epcor.com)

**Gordon Kaiser**

Gordon E Kaiser Professional Corporation  
77 King Street West, Suite 2020  
Toronto Dominion Centre  
Toronto ON M5K 1A1  
Tel: 55)736-4608  
Fax: Not Provided  
[gordon.kaiser0@gmail.com](mailto:gordon.kaiser0@gmail.com)

**Federation of Rental-housing  
Providers of Ontario**

**Dwayne Quinn**

Principal  
Dr Quinn & Associates Ltd.  
130 Muscovy Drive  
Elmira ON N3B 3P7  
Tel: 519-500-1022  
Fax: Not Provided  
[drquinn@rogers.com](mailto:drquinn@rogers.com)

Union Gas Limited  
EB-2015-0179

APPLICANT & LIST OF INTERVENORS

October 16, 2015

---

**Industrial Gas User's  
Association**

**Ian Mondrow**

Gowling Lafleur Henderson LLP  
1 First Canadian Place  
100 King S. W. Suite 1600  
Toronto ON M5X 1G5  
Tel: 416-369-4670  
Fax: 416-862-7661  
[ian.mondrow@gowlings.com](mailto:ian.mondrow@gowlings.com)

**Shahrzad Rahbar**

President  
Industrial Gas User's Association  
360 Sparks Street  
Suite 502  
Ottawa ON K1R7S8  
Tel: 613-236-8021  
Fax: Not Provided  
[srahbar@iqua.ca](mailto:srahbar@iqua.ca)

**London Property  
Management Association**

**Randy Aiken**

Aiken & Associates  
578 McNaughton Ave. W.  
Chatham ON N7L 4J6  
Tel: 519-351-8624  
Fax: 519-351-4331  
[randy.aiken@sympatico.ca](mailto:randy.aiken@sympatico.ca)

**Northeast Midstream LP**

**Joshua Samuel**

President and CEO of the General Partner  
Northeast Midstream LP  
42 St. Clair Ave East  
Suite 200  
Toronto ON M4T 1M1  
Tel: 416-848-1165  
Fax: 16)Not Provided  
[jsamuel@northeastmidstream.com](mailto:jsamuel@northeastmidstream.com)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Northern Cross Energy  
Limited**

**Neil McKay**

Northern Cross Energy Limited  
237 Foundry Street  
Bolton ON L7E 2E6  
Tel: 416-453-9074  
Fax: Not Provided  
[mckayneil@msn.com](mailto:mckayneil@msn.com)

**David Thompson**

President  
Northern Cross Energy Limited  
700 - 4th Avenue S.W.  
Suite 850  
Calgary AB T2P 3J4  
Tel: 403-237-0055  
Fax: Not Provided  
[dthompson@northerncross.ca](mailto:dthompson@northerncross.ca)

**Ontario Federation of  
Agriculture**

**Ian Nokes**

Ontario Federation of Agriculture  
100 Stone Road West  
Suite 206  
Guelph ON N1G 5L3  
Tel: 519-821-8883 Ext: 253  
Fax: 519-821-8810  
[ian.nokes@ofa.on.ca](mailto:ian.nokes@ofa.on.ca)

**Ontario Producers and  
Storage Companies**

**Jennifer Lewis**

Chief Financial Officer  
Tribute Resources Inc.  
309-D Commissioners Road West  
London ON N6J 1Y4  
Tel: 519-657-2151  
Fax: 519-657-4296  
[jlewis@tributerresources.com](mailto:jlewis@tributerresources.com)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Ontario Producers and  
Storage Companies**

**Renee Rioux**

Administration  
Ontario Producers and Storage Companies  
OPSC Group of Companies  
309 Commissioners Rd. W. Suite D  
London ON N6J 1Y4  
Tel: 519-657-2151  
Fax: Not Provided  
[rrioux@tributeresources.com](mailto:rrioux@tributeresources.com)

**School Energy Coalition**

**Wayne McNally**

SEC Coordinator  
Ontario Public School Boards' Association  
439 University Avenue  
18th Floor  
Toronto ON M5G 1Y8  
Tel: 416-340-2540  
Fax: 416-340-7571  
[wmcnally@opsba.org](mailto:wmcnally@opsba.org)

**Mark Rubenstein**

Jay Shepherd Professional Corporation  
2300 Yonge St. Suite 806  
P.O. Box 2305  
Toronto ON M4P 1E4  
Tel: 416-483-3300  
Fax: 416-483-3305  
[mark.rubenstein@canadianenergylawyers.com](mailto:mark.rubenstein@canadianenergylawyers.com)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**School Energy Coalition**

**Jay Shepherd**

Jay Shepherd Professional Corporation  
2300 Yonge St. Suite 806  
P.O. Box 2305  
Toronto ON M4P 1E4  
Tel: 416-483-3300  
Fax: 416-483-3305  
[jay.shepherd@canadianenergylawyers.com](mailto:jay.shepherd@canadianenergylawyers.com)

**Six Nations Natural Gas  
Company Limited**

**Nick Petruzzella**

Six Nations Natural Gas Company Limited  
1953 Fourth Line  
P.O. Box 300  
Oshweken ON N0A 1M0  
Tel: 519-445-4213  
Fax: 519-445-4313  
[nick@sixnatgas.com](mailto:nick@sixnatgas.com)

**South Bruce**

**J. Mark Rodger**

Counsel  
Borden Ladner Gervais LLP  
Scotia Plaza 40 King St. W  
Toronto ON M5H 3Y4  
Tel: 416-367-6190  
Fax: 416-361-7088  
[mrodger@blg.com](mailto:mrodger@blg.com)

**Murray Clarke**

Chief Administrative Officer  
Municipality of Kincardine  
1475 Concession 5  
R.R. #5  
Kincardine ON N2Z 2X6  
Tel: 519-396-3018 Ext: 109  
Fax: 519-396-8288  
[mclarke@kincardine.net](mailto:mclarke@kincardine.net)

**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**South Bruce**

**Mary Rose Walden**

Administrator  
Township of Huron-Kinloss  
21 Queen Street  
P.O. Box # 130  
Ripley ON N0G 2R0  
Tel: 519-395-3735  
Fax: Not Provided  
[mrwalden@huronkinloss.com](mailto:mrwalden@huronkinloss.com)

**Peggy Rouse**

Clerk-Administrator  
Municipality of Arran-Elderslie  
1925 Bruce Road 10  
P.O. Box #70  
Chesley ON N0G 1L0  
Tel: 519-363-3039 Ext: 38  
Fax: 519-363-2203  
[clerk@arran-elderslie.ca](mailto:clerk@arran-elderslie.ca)

**Lawrence Murphy**

Henley International Inc.  
11 - 1019 North Shore Blvd. E.  
Burlinton ON L7T 1X8  
Tel: 905-639-7233  
Fax: 905-639-7509  
[l.jmurphy@cogeco.ca](mailto:l.jmurphy@cogeco.ca)

**John Todd**

President  
Elenchus Research Associates Inc.  
34 King Street East, Suite 610  
Toronto ON M5H 3S6  
Tel: 416-348-9910  
Fax: 416-348-9930  
[jtodd@elenchus.ca](mailto:jtodd@elenchus.ca)



**Union Gas Limited  
EB-2015-0179**

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**The Corporation of the City  
of Kitchener - Utilities  
Division**

**Walter Malcolm**

Director - Utilities  
The Corporation of the City of Kitchener - Utilities  
Division  
131 Goodrich Drive  
Kitchener ON N2C 2E8  
Tel: 519-741-2600 Ext: 4538  
Fax: 519-741-2633  
[wally.malcolm@kitchener.ca](mailto:wally.malcolm@kitchener.ca)

**Jaya Chatterjee**

Regulatory Analyst  
The Corporation of the City of Kitchener - Utilities  
Division  
131 Goodrich Drive  
Kitchener ON N2C 2E8  
Tel: 519-741-2600 Ext: 4629  
Fax: 519-741-2633  
[jaya.chatterjee@kitchener.ca](mailto:jaya.chatterjee@kitchener.ca)

**The Corporation of the  
Township of Prince**

**Ken Lamming**

Mayor  
The Corporation of the Township of Prince  
3042 Second Line West  
Prince Township ON P6A 6K4  
Tel: (05)779-2875  
Fax: (05)779-2725  
[klamming@princetwp.ca](mailto:klamming@princetwp.ca)

Union Gas Limited  
EB-2015-0179

**APPLICANT & LIST OF INTERVENORS**

October 16, 2015

---

**Vulnerable Energy  
Consumers Coalition**

**Michael Janigan**

Counsel  
Public Interest Advocacy Centre  
31 Hillside Avenue East  
Toronto ON M4S 1T4  
Tel: 416-840-3907 Ext:  
Fax: Not Provided  
[mjanigan@piac.ca](mailto:mjanigan@piac.ca)

**Mark Garner**

Project Manager  
Econalysis Consulting Services  
34 King Street East  
Suite 630  
Toronto ON M5C 2X8  
Tel: 647-408-4501  
Fax: 416-348-0641  
[markgarner@rogers.com](mailto:markgarner@rogers.com)