



**EB-2016-0245**

**Union Gas Limited**

**Application for natural gas distribution, transmission  
and storage rates effective January 1, 2017**

**PROCEDURAL ORDER NO. 1**

**October 25, 2016**

Union Gas Limited (Union) filed an application dated September 9, 2016 (updated October 7, 2016) with the Ontario Energy Board (OEB) pursuant to section 36 of the *Ontario Energy Board Act, 1998*, for an order or orders approving rates for the distribution, transmission and storage of natural gas, effective January 1, 2017.

In July 2013, Union filed an application requesting approval of a multi-year Incentive Ratemaking Framework (the Framework) under File Number EB-2013-0202. The application included a comprehensive Settlement Agreement between Union and stakeholders. On October 7, 2013, the OEB accepted the Settlement Agreement as filed. Union's current application for 2017 rates is based on the Framework agreed to in the Settlement Agreement.

Union's current application also includes proposals for: (a) the implementation of the Union North Cost Allocation and Rate Design; (b) the implementation of the Parkway Delivery Commitment Incentive; and (c) a new service for Rate T2 customers.

The OEB issued a Notice of Application and Hearing on October 18, 2016. The last date for intervention was October 24, 2016. The following parties applied for intervenor status.

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association Toronto (BOMA)
- Canadian Manufacturers and Exporters (CME)
- City of Kitchener (Kitchener)
- Consumers Council of Canada (CCC)
- Enbridge Gas Distribution Inc. (Enbridge)
- Energy Probe Research Foundation (Energy Probe)
- Federation of Rental-housing Providers of Ontario (FRPO)
- Independent Electricity System Operator (IESO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Association of Physical Plant Administrators (OAPPA)
- Ontario Greenhouse Vegetable Growers (OGVG)
- School Energy Coalition (SEC)
- Shell Energy North America (Canada) Inc. (Shell Energy)
- Six Nations Natural Gas Company Limited (Six Nations)
- TransCanada PipeLines Limited (TCPL)
- Vulnerable Energy Consumers Coalition (VECC)

APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OAPPA, OGVG, SEC and VECC also applied for cost eligibility. IGUA requested that it be determined eligible for recovery of all of its reasonably incurred costs and that its cost eligibility not be confined only to the topics set out in the Notice of Hearing. IGUA stated that, while it is directly interested in the three topics set out in the Notice, it also has a more general interest in Union's proposed rates and conditions of service.

No objections were received regarding the requests for intervenor status or cost eligibility.

All parties that requested intervenor status in this proceeding are granted intervenor status. The list of intervenors in this proceeding is attached as Schedule A to this procedural order.

APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OAPPA, OGVG, SEC and VECC are each eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. Intervenors are reminded that the Notice of Hearing listed the

matters that would be considered for cost awards in this proceeding. As such, IGUA's cost eligibility is limited to only those issues specifically enumerated in the Notice of Hearing. Cost eligible intervenors should also 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 to avoid duplication.

It is 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 that requires 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 **October 31, 2016**.
2. 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 3, 2016**.
3. Union shall file with the OEB complete responses to the interrogatories and deliver them to the intervenors and OEB staff by **November 11, 2016**.
4. Unless otherwise ordered by the OEB, a settlement conference will be convened on **November 16, 2016 (all day) and November 17, 2016 (morning only)** at 9:30 a.m. The settlement conference will be held in the OEB's hearing room at 2300 Yonge Street, 25<sup>th</sup> Floor, Toronto.
5. Any settlement proposal arising from the settlement conference shall be filed with the OEB by **November 23, 2016**. Any settlement proposal filed, whether complete or partial, shall include a draft rate order with recommendations on whether the rate order should be interim or final. If the settlement proposal is a partial settlement, the outstanding or disputed issues shall be scoped and well-defined, with a recommendation for hearing the issues orally or by written submission.

6. If a settlement proposal is filed, OEB staff's submission on the settlement proposal shall be filed with the OEB and served on all parties within **2 days** of the date that the settlement proposal is filed.
7. If there is no settlement proposal arising from the settlement conference, Union shall file a statement to that effect with the OEB by **November 23, 2016**.
8. The oral hearing will commence on **November 30, 2016 at 9:00 a.m.** in the OEB's hearing room at 2300 Yonge Street, 25<sup>th</sup> Floor, Toronto for the purposes of presenting any settlement proposal and if required, for the consideration of dates in respect of any outstanding or disputed issues.

All filings to the Board must quote the file number, **EB-2016-0245** 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.

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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Lawrie Gluck at [Lawrie.Gluck@ontarioenergyboard.ca](mailto:Lawrie.Gluck@ontarioenergyboard.ca) and Board Counsel, Michael Millar at [Michael.Millar@ontarioenergyboard.ca](mailto:Michael.Millar@ontarioenergyboard.ca).

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**DATED** at Toronto, October 25, 2016

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original signed by*

Kristi Sebalj  
Registrar

**Schedule A**

**Procedural Order No. 1**

**Union Gas Limited**

**EB-2016-0245**

**Applicant and List of Intervenors**

**October 25, 2016**

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**APPLICANT & LIST OF INTERVENORS**

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**APPLICANT**

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**Union Gas Limited**

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**INTERVENORS**

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**INTERVENORS**

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