



EB-2016-0137
EB-2016-0138
EB-2016-0139

EPCOR Southern Bruce Gas Inc.

**Applications for approval of franchise agreements and
Certificates of Public Convenience and Necessity for the
Municipality of Arran-Elderslie, the Municipality of
Kincardine and the Township of Huron-Kinloss**

**PROCEDURAL ORDER NO. 1
January 5, 2017**

EPCOR Southern Bruce Gas Inc. (EPCOR) filed applications with the Ontario Energy Board (OEB) on March 24, 2016 under sections 8 and 9 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, seeking approval for its franchise agreements with and Certificate of Public Convenience and Necessity for the Municipality of Arran-Elderslie, Municipality of Kincardine and the Township of Huron-Kinloss (“the EPCOR Applications”).

The OEB announced previously on January 20, 2016 that it would be holding a generic proceeding to review opportunities for natural gas expansion in the province (EB-2016-0004). As the EPCOR Applications related to expanding gas service to new areas, they were placed on hold pending the outcome of the generic proceeding. The OEB issued its decision on natural gas expansion on November 17, 2016 (“expansion decision”).

The OEB issued a letter dated November 30, 2016 indicating that it was time to continue with the processing of the EPCOR Applications, and to do so in light of the findings in the expansion decision.

A Notice of Hearing was issued on December 21, 2016 and it was served on all parties in EB-2016-0004.

The OEB intends to confirm if there are other parties interested in serving the areas covered by the EPCOR Applications. If the OEB receives indications of interest by January 19, 2017, the OEB will then develop a process for hearing competing applications.

If there are no other interested parties, the OEB intends to be guided by the principles set out in the expansion decision. The expansion decision contemplated that the OEB would be in a better position to consider the merits of an applicant's proposal to serve a new community if it heard the rates application and/or the leave to construct application prior to granting a franchise. The OEB will therefore require EPCOR to submit a proposal regarding the application(s) it intends to file in advance of the OEB's consideration of the franchise applications.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Parties interested in serving the areas covered by the EPCOR Applications shall notify the OEB of their intention by January 19, 2017.
2. If no other interested parties are identified, EPCOR shall file with the OEB by January 26, 2017 a letter indicating what application(s) it intends to file in advance of the OEB's consideration of the franchise application.

All filings to the OEB must quote the file numbers, EB-2016-0137 | EB-2016-0138 | EB-2016-0139, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB's address provided below. 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 Registrar 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, Azalyn Manzano at azalyn.manzano@ontarioenergyboard.ca and OEB Counsel, Michael Millar at michael.millar@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, January 5, 2017

ONTARIO ENERGY BOARD

Original signed by

Kristi Sebalj
Registrar
Office of the Registrar