



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

South Bruce Expansion Applications

**Applications to serve the Municipality of Arran-Elderslie,
the Municipality of Kincardine and the Township of
Huron-Kinloss with natural gas distribution services**

PROCEDURAL ORDER NO. 3

March 23, 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 South Bruce Expansion Applications”). In Procedural Order No. 1, which was issued on January 5, 2017, the OEB issued an invitation to other parties interested in serving the areas covered by the South Bruce Expansion Applications to notify the OEB of their interest by January 19, 2017. Union Gas Limited (Union) filed a letter dated January 19, 2017 to notify the OEB of its interest in serving the areas covered by the South Bruce Expansion Applications. The OEB has changed the style of cause for this proceeding to reflect the status of both EPCOR and Union as proponents in the competition to select a natural gas distributor for the areas covered by the South Bruce Expansion Applications.

Following the issuance of Procedural Order No. 2 on March 3, 2017, the OEB received letters from Anwaatin Inc., Building Owners and Managers Association, Greater Toronto and School Energy Coalition asking the OEB to reconsider its determination that costs would not be awarded to intervenor groups for phase one of this proceeding. The OEB will now consider cost eligibility for both phase one and phase two of the proceeding. The OEB will limit cost awards for both phases to parties granted intervenor status for

phase two. The OEB will therefore now consider both applications for intervenor status for phase 2 and cost eligibility for both phases.

As stated in Procedural Order No. 2, the OEB intends to limit phase 2 intervention to parties whose constituencies are directly affected by the provision of natural gas service in the relevant municipalities. These parties are invited to make their application for intervenor status for phase two of this proceeding, as well as for cost eligibility for both phase one and two. Other intervenors from the first phase of the proceeding who wish to continue to participate in phase two may also apply for intervenor status for phase two, as well as cost eligibility for both phases, but must provide a compelling explanation for how their interests align with the selection of a distributor for the relevant municipalities.

The OEB will limit the maximum number of hours of work claimed for phase one to a total of 8 hours per intervenor.

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 with directly affected constituencies in the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss, as well as other interested parties that wish to intervene in the second phase of the proceeding must file their application for intervenor status on or before **March 30, 2017**.
2. Parties that wish to be considered for cost eligibility for one or both phases of the proceeding must file their application for cost eligibility with the OEB on or before **March 30, 2017**.
3. The date of March 31, 2017 set out in Procedural Order No. 2 for the filing of submissions is cancelled. The OEB will set a new date after making determinations on intervenor status and cost eligibility.

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, Jennifer Lea at Jennifer.lea@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, **March 23, 2017**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary