



EB-2016-0030

Application by Mr. Achiel Kimpe to determine the amount and method to calculate storage rights compensation in the Bentpath Designated Gas Storage Pool operated by Union Gas Limited, located in the Township of Dawn-Euphemia in Lambton County

**PROCEDURAL ORDER NO. 2
July 28, 2017**

Achiel Kimpe applied to the Ontario Energy Board (OEB) for a determination under section 38(3) of the *Ontario Energy Board Act, 1998* of the appropriate compensation in respect of Union Gas Limited's (Union Gas) storage of gas on land he owns in Union Gas' operated Bentpath storage pool.

On March 31, 2017, the OEB issued a Notice of Application and Procedural Order No. 1 which set the schedule for written evidence, interrogatories and responses to the interrogatories. This phase was completed on June 29, 2017.

In the Notice of Application and Procedural Order No. 1, the OEB said it would determine at a later date whether to review Mr. Kimpe's application by way of a written or an oral hearing.

Having read the materials that have been filed to date, the OEB has now decided to proceed by way of a written hearing (that is, the exchange of written arguments by Mr. Kimpe, Union Gas, and OEB staff), in accordance with the schedule set out below. This process will be followed unless either Mr. Kimpe or Union Gas can satisfy the OEB that there is good reason for proceeding with an oral (in person) hearing instead.

Submissions in this proceeding should focus on two areas:

- The methodology for calculating the amount of compensation as proposed by Mr. Kimpe

- The appropriate time period to be covered by the OEB's decision on Mr. Kimpe's application

THE ONTARIO ENERGY BOARD THEREFORE ORDERS THAT:

1. Mr. Kimpe or Union Gas may request an oral hearing by filing a letter with the OEB, with supporting reasons for holding an oral hearing rather than a written one, and provide a copy of the letter to the other party by **August 11, 2017**. If no request is received the OEB shall proceed by a written process for final submissions according to the schedule below.
2. Mr. Kimpe may file with the OEB a written submission in support of his application, and provide a copy to Union Gas, by **August 25, 2017**.
3. Union Gas and OEB staff may file a written submission regarding Mr. Kimpe's application with the OEB and provide a copy to Mr. Kimpe by **September 8, 2017**.
4. Mr. Kimpe may file a written reply to submission by Union Gas and submission by OEB staff and file it with the OEB by **September 22, 2017**.

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.

All communications from Union Gas and OEB staff to Mr. Kimpe must be sent to his mailing address and sent by e-mail to the attention of Mr. Kimpe c/o Mr. Anthony Rizetto, at MPP Bob Bailey's Office at the addresses below.

ADDRESS

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

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

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DATED at Toronto, July 28, 2017
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary