



EB-2009-0101

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Sched. B);

AND IN THE MATTER OF an Application by Union Gas Ltd. for an order or orders amending or varying the rate or rates charged to customers as of July 1, 2009 in connection with the sharing of 2008 earnings under the incentive rate mechanism approved by the Ontario Energy Board on January 17, 2008.

NOTICE OF APPLICATION

Union Gas Ltd. ("Union" or the "Company") filed an application, dated April 2, 2009 (the "Application"), with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act, S.O. 1998, c.15, Schedule B* (the "Act") for an order amending or varying the rate or rates charged to customers as of July 1, 2009 in connection with the sharing of 2008 earnings under the incentive rate mechanism approved by the Board on January 17, 2008.

Union filed evidence which shows that the total amount proposed for return to customers is \$15.2 million in earnings sharing, and that the disposition would take place as a billing adjustment on customers' bills beginning July 1, 2009, consistent with the timing proposed for disposition of Union's 2008 deferral account balances. For General Service rate classes Rate M1, Rate M2, Rate 01, and Rate 10, Union proposes to dispose of the earnings sharing credits prospectively by a temporary delivery price adjustment for the period July 1, 2009 to December 31, 2009. For in-franchise contract and ex-franchise rate classes, Union proposes to dispose of these credits as a one-time adjustment to customer bills. The evidence also includes bill impacts which show that the temporary delivery-related credit for a typical residential customer consuming 2600

m³ in the Southern Operations area is approximately \$4.72, and in the Northern and Eastern Operations area is approximately \$8.13.

For the purposes of this proceeding, the Board has determined that it will adopt the List of Intervenors approved in the current Union 2009 IRM rates proceeding (Board File No. EB-2008-0220), and in the Union 2008 IRM rates proceeding (Board File No. EB-2007-0606), attached as Appendices "A" and "B" to this order. Parties deemed eligible for an award of costs in the EB-2008-0220 proceeding shall also be eligible to claim an award of costs in this proceeding.

The Board will issue its procedural directions regarding this proceeding at a later date.

DATED at Toronto, April 22, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

**TO
NOTICE OF APPLICATION**

APPLICANT AND LIST OF INTERVENORS

EB-2008-0220

**UNION GAS LIMITED
2009 RATES APPLICATION**

**EB-2008-0220
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APPENDIX "B"
TO
NOTICE OF APPLICATION

LIST OF INTERVENORS

EB-2007-0606

**Incentive Regulation for Natural Gas Utilities
EB-2007-0606**

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26 **Wholesale Gas Service
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