

**EB-2009-0055**

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

**AND IN THE MATTER OF** an Application by Enbridge Gas Distribution Inc. for an order or orders approving the clearance or disposition of amounts recorded in certain deferral or variance accounts.

### **PROCEDURAL ORDER NO. 3**

Enbridge Gas Distribution Inc. (“Enbridge” or the “Applicant”) filed an application, dated March 18, 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 approving the disposition of balances in certain deferral or variance accounts. The Board assigned file number EB-2009-0055 to the Application and issued a Notice of Application dated April 1, 2009. The Board issued its Decision and Order on the matter on August 7, 2009 (the “Order”).

The Board is in receipt of a letter of request from Enbridge dated September 2, 2009, a copy of which is attached as Appendix A, which seeks to vary the Order to alter the time of the clearances of the balances in the deferral and variance accounts. In its Order, the Board ordered the clearances to occur in October and November of 2009. Enbridge has requested that the clearance dates be postponed until 2010 when it expects its new Customer Information System to be able to handle the billing of the clearances.

The Board will proceed with this matter by allowing the parties to submit comments on Enbridge’s request.

**THE BOARD ORDERS THAT:**

1. Parties wishing to make a submission on Enbridge's request shall file their submissions with the Board no later than Thursday, September 10, 2009, and copy all parties.
2. Enbridge may file a reply submission no later than Tuesday, September 15, 2009, and copy all parties.
3. All parties shall file their submissions with the Board Secretary and must quote file number EB-2009-0055. These submissions should be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address and must be sent to the Board by 4:45 pm on the date indicated with a copy to all parties. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to the addresses below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Colin Schuch at [colin.schuch@oeb.gov.on.ca](mailto:colin.schuch@oeb.gov.on.ca) and Board Counsel, Donna Campbell at [donna.campbell@oeb.gov.on.ca](mailto:donna.campbell@oeb.gov.on.ca).

**DATED** at Toronto, September 4, 2009

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**APPENDIX "A"**  
**EB-2009-0055**  
**Dated: September 4, 2009**



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## **VIA COURIER AND EMAIL**

September 2, 2009

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**Re: EB-2009-0055 (2008 Deferral and Variance Accounts) and  
EB-2009-0309 (GRAM Application)**

In its Decision and Order in EB-2009-0055, the Ontario Energy Board (the "OEB", or the "Board") approved the balances in Enbridge Gas Distribution Inc.'s 2008 Deferral and Variance Accounts, and ordered Enbridge to clear those balances in two equal installments during the October 2009 and November 2009 billing cycles. The Board ordered that this clearance will coincide with Enbridge's October 1, 2009 QRAM. For the reasons set out below, Enbridge respectfully requests that the Board's Order be varied to allow and direct Enbridge to clear the balances in its 2008 Deferral and Variance Accounts in 2010.

The Company is in the process of implementing its new Customer Information System ("CIS") in September of 2009. This is a significant undertaking that is the culmination of approximately two years of extensive effort.

Enbridge is pleased to confirm that billing using the new CIS will commence as of mid-September. Naturally, the Company wants to ensure that the switch-over of its customers to the new billing system is as smooth as possible and that adequate time and resources are dedicated to address problems should they arise. To this end, the parties most closely involved with the implementation of the new CIS (which include TMG Consulting, Sapient Canada and Enbridge's own steering committee) have recommended that steps be taken to avoid the potential complications that could arise from additional billing activities during the first several months of operation. Those parties have specifically identified the collection of 2008 deferral and variance account balances as an activity that should be avoided in the early operations of the new CIS and have

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recommended that this be delayed. Unlike the gas cost adjustment (i.e., QRAM adjustment) which is applied to customer bills on a forward looking basis, clearance of the 2008 deferral and variance accounts relies on historic consumption data and therefore requires additional processes and steps in order to facilitate collection of the amounts from customers.

The recommendation to delay clearance of the 2008 deferral and variance accounts did not arise until an August 31<sup>st</sup> meeting of the parties involved in the CIS implementation. Since that time, Enbridge has taken prompt action to amend its October 1 QRAM Application and formulate this request.

In these circumstances, Enbridge requests, pursuant to Part VII of the Board's Rules of Practice and Procedure, that the Board review and vary its Decision and Order in EB-2009-0055.

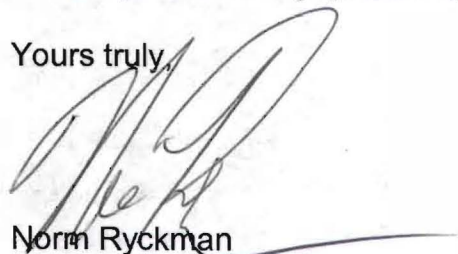
Specifically, Enbridge requests that the Board vary paragraphs 2 and 3 of its Order in EB-2009-0055, so that they read as follows:

- 2) The clearance of the deferral and variance accounts will occur at the earliest opportunity upon stabilization of the new CIS. Currently it is anticipated that collection will coincide with the January 1, 2010 QRAM. The balances will be cleared to customers in two equal monthly installments.
- 3) For purposes of clearance, Enbridge shall include in the appropriate QRAM application, similar schedules, as indicated in Appendix "A", reflective of the balances approved in this Decision and Order.

As there is some urgency to this request, we would be grateful if it could be addressed at the Board's early convenience.

Should you have any questions, please contact me.

Yours truly,



Norm Ryckman  
Director, Regulatory Affairs  
Encl.

cc: Mr. David Stevens, Aird & Berlis LLP  
All Interested Parties EB-2008-0219 and EB-2009-0055

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