



**EB-2009-0275**

**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 Union Gas  
Limited for an Order or Orders approving or fixing just and  
reasonable rates and other charges for the sale, distribution,  
transmission and storage of gas effective January 1, 2010.

### **PROCEDURAL ORDER NO. 1**

Union Gas Distribution Inc. ("Union" or "Applicant") filed an Application on September 3, 2009 with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act, 1998*, S.O. c.15, Sched. B, as amended, for an order of the Board approving or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2010. The Board assigned file number EB-2009-0275 to the Application and issued a Notice of Application dated September 10, 2009.

On September 11, 2009 Union filed the evidence and a draft rate order in support of its Application. Subsequently on September 30, 2009 Union filed amended evidence and a draft rate order in response to the Board's letter of September 28, 2009, which concerned new support programs for low energy consumers and requested that the natural gas utilities base their Demand Side Management ("DSM") plans for 2010 on the existing DSM framework, including increases based on established budget escalators.

The Board has not received any objections from Union with respect to the parties seeking intervenor status or eligibility for costs. The Board grants intervenor status to the parties indicated in the List of Intervenors attached as Appendix A. The Board also grants eligibility for costs to all the intervenors who requested cost award eligibility.

These include Canadian Manufacturers and Exporters, the Consumers Council of Canada, the Energy Probe Research Foundation, the London Property Management Association, the Ontario Association of Physical Plant Administrators, the School Energy Coalition, the Industrial Gas Users Association, the Vulnerable Energy Consumers Coalition and the Association of Power Producers of Ontario.

Most parties who commented on the particulars of the proceeding supported a written proceeding, based on their current understanding of the Application, and saw merit in convening a settlement conference.

The Board will now make provision for the following procedural matters.

Please be aware that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. Intervenor status is granted to the parties on the List of Intervenors attached as Appendix A to this Order.
2. Intervenors and Board staff who wish information and material from Union that is in addition to the evidence filed with the Board, and that is relevant to this proceeding, shall request it by written interrogatories filed with the Board and delivered to Union on or before **Friday October 16, 2009**.
3. Union shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **Friday October 23, 2009**.
4. A Settlement Conference will be convened on **Wednesday October 28, 2009** at 9:00 a.m. with the objective of reaching a settlement among the parties. The Settlement Conference will be held at 2300 Yonge Street, Toronto in the Board's hearing room on the 25th Floor and if needed, may continue until Thursday October 29, 2009.
5. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:45 p.m. on **Monday November 2, 2009**.

6. The Board will sit on **Friday November 6, 2009** at 9:30 a.m. to review the Settlement Proposal.

All filings to the Board must quote file number **EB-2009-0275** and 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 and telephone number, fax number and e-mail address. 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 [BoardSec@oeb.gov.on.ca](mailto:BoardSec@oeb.gov.on.ca). 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 seven paper copies. 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. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Richard Battista at [richard.battista@oeb.gov.on.ca](mailto:richard.battista@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, October 6, 2009.

**ONTARIO ENERGY BOARD**

*Original signed by*

John Pickernell  
Assistant Board Secretary

**Union Gas Limited  
EB-2009-0275**

**APPLICANT & LIST OF INTERVENORS**

October 6, 2009

**APPLICANT**

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**INTERVENORS**

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