



EB-2009-0166

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 approval of its 2010 Natural Gas Demand Side
Management Plan.

PROCEDURAL ORDER NO. 2

Union Gas Limited ("Union" or "the Applicant") has filed an application for a one year low-income DSM plan with the Ontario Energy Board (the "Board"), received on October 15, 2009.

This application is in response to the request by the Board on September 28, 2009 for Enbridge Gas Distribution Inc. and Union to file one year low-income DSM plans for 2010 based on the existing DSM framework, including budget increases based on the established escalators.

On September 30, 2009 the Board issued its Decision and Order approving Union's originally filed application for its 2010 DSM plan. That plan did not include the low-income component. The Board has decided to hear the current application as a second phase to the proceeding. The Board will only be addressing the one year low-income DSM plan; all other matters related to the 2010 DSM plan have been addressed in the first phase.

Intervenors in Union's original 2010 DSM plan application will not need to request intervenor status again. New parties which would like to request intervenor status with regard to the low-income DSM plan may do so in accordance with the procedure listed below.

The Board has determined that it is necessary to make the following provisions related to this proceeding:

THE BOARD ORDERS THAT:

1. Union shall immediately serve a copy of the low-income DSM plan application on all intervenors in the current 2010 DSM plan proceeding (File No. EB-2009-0166) (list attached as Appendix "A").
2. Union shall immediately serve a copy of the low-income DSM plan application and Procedural Order No. 2 on all intervenors in the generic gas DSM proceeding (File No. EB-2006-0021) (list attached as Appendix "B").
3. Union shall immediately serve a copy of the low-income DSM plan application and Procedural Order No. 2 on all parties in the DSM Guidelines proceeding (File No. EB-2008-0346) (list attached as Appendix "C").
4. Any party who is not already an intervenor in this proceeding and who would like to request intervenor status and actively participate in the proceeding may do so by filing a request with the Board no later than **Friday, October 30, 2009**.

Your letter of intervention must include a description of how you are, or may be, affected by the proceeding; and if you represent a group, a description of the group and its membership. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

5. The Applicant must make a copy of the application and evidence available for public review at Union Gas Limited's office and official website.
6. The Applicant must provide a copy of the application and evidence to anyone requesting the material.
7. Intervenors and Board Staff who wish information and material from the Applicant that is in addition to the evidence filed with the Board on October 15, 2009 shall request it by written interrogatories filed with the Board, and delivered to the Applicant on or before, **Friday, November 6, 2009**.

All interrogatories and responses must include a reference to the section of the application which identifies the specific evidence on which the interrogatory is based.

8. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors and observer no later than **Friday, November 13, 2009**.
9. Any party that wishes to comment on Union's updated application or interrogatory responses shall do so by written submissions filed with the Board, and delivered to Union, **on or before Friday, November 20, 2009**.
10. Union may respond by written submission filed with the Board, and delivered to all parties, **on or before Friday, November 27, 2009**.

If you have a user ID, please submit your intervention request, interrogatories or submission through the Board's web portal at www.errr.oeb.gov.on.ca in searchable/unrestricted PDF format. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. You may also send your submission by e-mail to the following address: boardsec@gov.on.ca. Additionally, two paper copies are required and should be sent to the addresses below. Those who do not have Internet access are asked to submit their intervention request, interrogatories or submissions on a CD or diskette in PDF format, along with three paper copies by 4:00pm on the date indicated, and copy all parties. Parties must also include the Case Manager, Josh Wasylyk josh.wasylyk@oeb.gov.on.ca and Board Counsel, Michael Millar michael.millar@oeb.gov.on.ca on all electronic correspondence related to this case.

In responding to this Procedural Order please reference Board file number EB-2009-0166. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45p.m on the required date.

Addresses

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Attention: Ms. Kirsten Walli
Board Secretary

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DATED at Toronto October 26, 2009.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

**UNION GAS LIMITED
2010 Natural Gas DSM Plan
EB-2009-0166**

APPLICANT AND LIST OF INTERVENORS

October 26, 2009

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APPENDIX B

List of EB-2006-0021 Intervenors and DSM Consultative Members

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EB-2009-0166

October 26, 2009

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APPENDIX C

List of EB-2008-0346 DSM Guidelines Parties

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EB-2009-0166

October 26, 2009

**Ontario Energy Board
EB-2008-0346**

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June 25, 2009

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