



EB-2007-0717

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

AND IN THE MATTER OF an application from Union Gas
Limited for an order of the Board approving the parties to,
the period of, and the space for storage that is the subject of
a T1 Gas Storage Contract with LANXESS Inc.

PROCEDURAL ORDER NO. 2

Union Gas Limited ("Union") has filed an application (the "Application"), dated August 8, 2007, with the Ontario Energy Board under section 39(2) of the *Ontario Energy Board Act*, 1998 for an order of the Board approving, without a hearing, three elements of a T1 Gas Storage and Distribution Contract (the "T1 Contract") with LANXESS Inc. – the parties, the term and the amount of storage space.

A Notice of Application for this proceeding was issued on August 24, 2007 and was served on all the participants in the EB-2005-0520 proceeding that established Union's 2007 rates. The City of Kitchener ("Kitchener") and the Industrial Gas Users Association ("IGUA") have been granted intervenor status in this proceeding.

In its letter of intervention, Kitchener objected to Union's request that the Board hold in confidence certain information in the contract that Union considers commercially sensitive or customer specific.

The Board's Procedural Order No. 1 issued on October 5, 2007 provided a timeline for Union to reply to Kitchener's objection to the confidentiality request. Procedural Order No. 1 also set a timeline for an interrogatory process.

Union filed its reply submission on October 15, 2007 and Kitchener filed a response to that submission on the same date.

The Board intends to issue a decision and order regarding the confidentiality request shortly. In the meantime, the Board has decided to defer the filing dates for the interrogatories (contained in Procedural Order No. 1) so that the confidentiality issue can be resolved prior to the interrogatory filing date.

The Board considers it necessary to make provision for a number of procedural matters. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Intervenor and Board staff who wish information from the Applicant that is in addition to the evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant and the other Intervenor on or before Monday, **November 5, 2007**.
2. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the Intervenor no later than Monday, **November 12, 2007**.
3. If you already have a user ID, submit your responses through the OEB portal at <http://www.errr.oeb.gov.on.ca/>. If you do not have a user ID, a request may be made to the Board Secretary at boardsec@oeb.gov.on.ca. All filings to the Board in relation to this proceeding must quote file number EB-2007-0717 and include your name, postal address and telephone number and, if available, e-mail address and fax number. The Board asks that parties make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format. Those who do not have internet access must submit a CD or diskette in PDF format. For those who do not have computer access, two paper copies are required. Additionally parties are requested to follow the document naming conventions and document submission standards outlined in the RESS Document Guidelines found at:
<http://www.oeb.gov.on.ca/documents/tools/efiling/RESS%20Document%20Guidelines.pdf>.

Parties must also include the Case Manager, Robert Caputo at robert.caputo@oeb.gov.on.ca and Board Counsel, Michael Millar at michael.millar@oeb.gov.on.ca on all electronic correspondence related to this case.

DATED at Toronto, October 19, 2007

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary