



**EB-2010-0155**

**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 tariffs for its M12, C1 and M16  
transportation services;

**AND IN THE MATTER OF** the Storage and Transportation  
Access Rule.

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

On December 9, 2009 the Ontario Energy Board (the “Board”) issued a Notice of Issuance of a New Rule, under section 44(1) of the *Ontario Energy Board Act, 1998* (the “Act”). The new rule, known as the Storage and Transportation Access Rule (“STAR”) comes into effect on June 16, 2010. All materials related to the STAR are available on the Board’s website (EB-2008-0052).

On April 1, 2010, in accordance with sections 2.3.3 and 2.4.3 of the STAR, Union Gas Limited (“Union”) filed with the Board an application seeking Board approval of tariffs for its M12, C1 and M16 transportation services to be effective as of June 16, 2010. Union has proposed revisions to the tariffs for its M12, C1 and M16 transportation services in order for these tariffs to be compliant with the STAR. The Board assigned Board File No EB-2010-0155 to this application.

The Board issued a Notice of Application and Procedural Order No. 1 on April 9, 2010, which allowed registered participants in the development of the STAR (EB-2008-0052) and all shippers taking M12, C1 or M16 transportation service from Union to file submissions on Union’s application. The Board decided to proceed by way of a written proceeding.

On April 27, 2010, the Board issued Procedural Order No. 2 extending the implementation date for sections 2.3.3 and 2.4.3 of the STAR to July 1, 2010 to coincide with the issuance of the Quarterly Rate Adjustment Mechanism Rate Order.

On June 3, 2010 the Board issued a Decision with Reasons approving its M16 tariff and directing Union to make certain changes to its C1 and M12 tariffs.

On June 8, 2010, Union filed a letter with the Board requesting an extension of time to comply with the Board's Decision. Union's request relates to those parts of the STAR that impact the tariffs for the C1, M12 and M16 transportation services. Union also requested that the STAR implementation date for these tariffs be extended until October 1, 2010. The Board has considered this request and has decided to extend the time for STAR implementation related to the C1, M12 and M16 tariffs until October 1, 2010. All the other STAR requirements come into force on June 16, 2010.

The Board has set a procedure for Union to file the changes as directed by the Board, and for the parties to file any submissions, and for Union to reply to any submissions.

At this time the Board considers it necessary to make provision for the following procedural matters. Please be aware that this procedural order may be amended, and further procedural orders may be issued from time to time.

**THE BOARD THEREFORE ORDERS THAT:**

1. Union shall file the changes to the proposed C1 and M12 tariffs, as directed by the Board Decision issued on June 3, 2010, and copy on all the parties in the proceeding by **Friday, July 9, 2010**.
2. Parties to the proceeding, including Board Staff, who wish to make written submissions on the changes to the tariffs filed by Union, shall file the submissions with the Board and deliver them to Union and other parties by **Friday, July 23, 2010**.
3. Union may reply to any submissions received by filing reply submissions with the Board and serving a copy on all the parties in the proceeding by **Friday, July 30, 2010**.

4. All filings to the Board must quote the file number, EB-2010-0155, 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 the address 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.

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.

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

E-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)  
Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656

**DATED** at Toronto, June 14, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary