



EB-2008-0106

IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine methodologies for commodity pricing, load balancing and cost allocation for natural gas distributors.

PROCEDURAL ORDER NO. 4

On May 29, 2008, the Ontario Energy Board (the “Board”) commenced a proceeding on its own motion to determine the methodology to be used by natural gas distributors for (i) gas commodity pricing, (ii) load balancing and (iii) cost allocation between the supply and delivery functions in relation to regulated gas supply. The Board assigned file number EB-2008-0106 to this proceeding.

On September 21, 2009, the Board issued its Amended Decision and Order (the “Decision”) in this proceeding. The Board ordered Enbridge Gas Distribution Inc. (“Enbridge”) to file details of its Mean Daily Volume proposal (“MDV Proposal”) for approval. Specifically, the Board ordered the following:

The Board orders EGD to file the details of its MDV proposal at its earliest convenience for the Board’s review and approval. The changes to the MDV shall be implemented in 2011. With respect to the costs of implementing the changes to the MDV, the Board directs EGD to record these costs in a deferral account, the prudence and disposition of which will be decided in a subsequent proceeding.¹

On May 12, 2010, the Board issued its Procedural Order No. 3 in which it scheduled interrogatories followed by written argument, submissions and reply. Enbridge filed responses to the interrogatories on June 16, 2010. The Board has considered the next

¹ Amended Decision and Order EB-2008-0106, September 21, 2009, pages 30 and 31.

steps and has determined that a Settlement Conference should be introduced into the process. As well, the Board will introduce written submissions by Board staff and intervenors on any outstanding or unresolved issues following the Settlement Conference. The Board will therefore replace the written argument process outlined in Procedural Order No. 3 with a Settlement Conference followed by the filing of a Settlement Proposal and written submissions on any outstanding issues related to the MDV Proposal.

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

THE BOARD ORDERS THAT:

1. A Settlement Conference will be convened at 9:00 a.m. on July 8, 2010 with the objective of reaching a settlement among the parties on the issues. The Settlement Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto, and may continue until July 9, 2010 if needed.
2. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:45 p.m. on July 15, 2010.
3. Intervenors and Board staff who wish to do so may file a submission on outstanding issues with the Board and deliver it to Enbridge and all other intervenors no later than July 22, 2010.
4. Enbridge, if it wishes to do so, may file a reply submission on outstanding issues with the Board and deliver it to all other intervenors no later than July 29, 2010.
5. All parties shall file their submissions with the Board Secretary and must quote File Number EB-2008-0106. These submissions should be made through the Board's web portal at 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. 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 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 and Board Counsel, Maureen Helt at maureen.helt@oeb.gov.on.ca.

ISSUED at Toronto, June 28, 2010

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary