



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. 3

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 Orders No. 1 and No. 2, issued on October 5, 2007 and October 19, 2007 respectively established the timeline for an interrogatory process such that the confidentiality issue could be resolved prior to the interrogatory filing date.

On October 29, 2007, the Board issued its decision and order regarding the confidentiality issue.

Interrogatories were filed by IGUA and Kitchener on October 16, 2007 and November 5, 2007 respectively and Union filed a response to the Interrogatories on November 12, 2007.

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. Intervenors shall file any submissions with the Board, and deliver copies to the Applicant and to all other Intervenors on or before **Friday November 23, 2007**.
2. Union shall file with the Board and deliver to all intervenors its reply to the Intervenor submissions on or before **Wednesday November 28, 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, please visit the Board's website under efilings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. 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.

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, November 19, 2007

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary