

**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 Enbridge  
Gas Distribution Inc. for an order or orders approving the  
balance and clearance of the Class Action Suit Deferral  
Account;

**AND IN THE MATTER OF** an application by Enbridge  
Gas Distribution Inc. for an order or orders amending or  
varying the rates charged to customers for the sale,  
distribution, transmission and storage of gas commencing  
January 1, 2008.

### **PROCEDURAL ORDER NO.1**

Enbridge Gas Distribution Inc. ("Enbridge") filed an Application dated September 28, 2007 (the "Application") with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act, 1998*, S.O. c.15, Sched. B, as amended, for an order of the Board approving the final balance in the 2007 Class Action Suit Deferral Account ("CASDA") and the disposition of that balance.

The Board has assigned the application file number EB-2007-0731. The Board issued a Notice of Application and Hearing dated October 26, 2007.

The Board has decided to proceed by way of written hearing, and considers it necessary to make provision for the procedural matters set out below. The Board may proceed by way of an oral hearing at a future date, if it determines an oral hearing will further assist the Board in its deliberation of these matters. Please be aware that this procedural order may be amended, and further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. Parties who wish information and material 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 on or before December 7, 2007. A list of intervenors is attached as Appendix A to this order.
2. The applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than December 17, 2007.
3. Intervenors must file their arguments with the Board and deliver same to the applicant and other intervenors by January 11, 2008. Board staff shall file and deliver any submission on the application by January 8, 2008.
4. The applicant may reply to any arguments and submissions by January 23, 2008.

All filings to the Board must quote file number EB-2007-0731, 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.

DATED at Toronto, November 23, 2007

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli,  
Board Secretary

**EB-2007-0731  
ENBRIDGE GAS DISTRIBUTION INC. CASDA PROCEEDING.  
APPLICANT & LIST OF INTERVENTIONS**

November 23, 2007

**Applicant**

**Rep. and Address for Service**

Enbridge Gas Distribution Inc.

Mr. Patrick Hoey  
Director, Regulatory Affairs  
Enbridge Gas Distribution Inc.  
500 Consumers Road  
Willowdale Ontario M2J 1P8  
Tel: 416-495-5555  
Fax: 416-495-6072  
Email: [patrick.hoey@enbridge.com](mailto:patrick.hoey@enbridge.com)

AND

Mr. Dennis M. O'Leary  
Counsel to Applicant  
Aird & Berlis LLP  
BCE Place  
181 Bay Street  
Suite 1800, Box 754  
Toronto ON M5J 2T9  
Tel: 416 865-4711  
Fax: 416 863-1515  
Email: [doleary@airdberlis.com](mailto:doleary@airdberlis.com)

**Intervenors**

**Rep. And Address for Service**

1. Consumers Council of Canada

Mr. Robert B. Warren  
Consumers Council of Canada  
WeirFoulds LLP  
The Exchange Tower, Suite 1600  
P.O. Box 480, 130 King Street West  
Toronto ON M5X 1J5  
Tel: 416 947-5075  
Fax: 416 365-1876  
Email: [rwarren@weirfoulds.com](mailto:rwarren@weirfoulds.com)

AND

Ms. Julie Girvan  
Consumers Council of Canada  
c/o 2 Penrose Road  
Toronto ON M4S 1P1  
Tel: (416) 322-7936  
Fax: (416) 322-9703  
Email: [jgirvan@ca.inter.net](mailto:jgirvan@ca.inter.net)

2. The Electricity Distributors Association

Mr. Richard Zebrowski  
The Electricity Distributors Association  
3700 Steeles Avenue West  
Suite 1100  
Vaughan, Ontario L4L 8K8  
Tel: 905 265-5347  
Fax: 905 265-5301  
E-mail: [rzebrowski@eda-on.ca](mailto:rzebrowski@eda-on.ca)

AND

Ms. Kelly Friedman  
Counsel  
Ogilvy Renault LLP  
Royal Bank Plaza, South Tower  
Suite 3800  
200 Bay Street, P.O. Box 84  
Toronto, Ontario M5J 2Z4  
Tel: (416) 216-2985  
Fax: (416) 216-3930  
E-mail: [kfriedman@ogilvyrenault.com](mailto:kfriedman@ogilvyrenault.com)

3. Industrial Gas Users Association (IGUA)

Mr. Peter C.P. Thompson, Q.C.  
Borden Ladner Gervais LLP  
Barristers and Solicitors  
World Exchange Plaza  
100 Queen Street  
Suite 1100  
Ottawa ON K1P 1J9  
Tel.: 613 787-3528  
Fax: 613 230-8842  
Email: [pthompson@blgcanada.com](mailto:pthompson@blgcanada.com)

AND

Mr. Murray Newton  
President  
Industrial Gas Users Association  
99 Mtcalf Street  
Suite 1201  
Ottawa ON K1P 6L7  
Tel.: 613 236-8021  
Fax: 613 230-9531  
Email: [mnewton@igua.ca](mailto:mnewton@igua.ca)

4. Hydro One Networks Inc. Mr. Glen MacDonald  
Senior Advisor – Regulatory Research and Admin  
Regulatory Affairs  
8<sup>th</sup> Floor, South Tower  
483 Bay Street  
Toronto ON M5G 2P5  
Tel.: 416 345-5913  
Fax: 416 345-5866  
Email: [regulatory@HydroOne.com](mailto:regulatory@HydroOne.com)

5. Portlands Energy Centre Ms. Margaret Duzy, Regulatory Affairs  
TransCanada Energy Ltd.  
55 Yonge Street, 8<sup>th</sup> Floor  
Toronto ON M5E 1J4  
Tel.: 416 869-2180  
Fax: 416 869-2114  
Email: [margaret\\_duzy@transcanada.com](mailto:margaret_duzy@transcanada.com)

AND

Ms. Jason Rioux  
Senior Advisor – Business Development  
Ontario Power Generation Inc.  
700 University Avenue  
Toronto ON M5G 1X6  
Tel.: 416 592-2387  
Fax: 416 592-3593  
Email: [jason.rioux@opg.com](mailto:jason.rioux@opg.com)

6. School Energy Coalition Mr. John De Vellis  
School Energy Coalition  
Shibley Righton LLP  
Barristers and Solicitors  
250 University Avenue, Suite 700  
Toronto ON M5H 3E5  
Tel: 416 214-5232  
Fax: 416 214-5432  
Email: [john.devellis@shibleyrighton.com](mailto:john.devellis@shibleyrighton.com)

AND

Mr. Bob Williams  
Co-ordinator  
Ontario Education Services Corporation  
439 University Avenue, 18<sup>th</sup> Floor  
Toronto ON M5G 1Y8  
Tel: 416 340-2540  
Fax: 416 340-7571  
Email: [bwilliams@opsba.org](mailto:bwilliams@opsba.org)

AND

Ms. Rachel Chen  
Principle Consultant  
Institutional Energy Analysis, Inc.  
250 University Avenue, Suite 700  
Toronto, ON M5H 3E5  
Tel: 416-214-5298  
Fax: 416-214-5498  
Email: [rachel.chen@ieai.ca](mailto:rachel.chen@ieai.ca)

7. Union Gas Limited

Mr. Pat McMahon  
Manager, Regulatory Research and Records  
Union Gas Limited  
P.O. Box 200  
50 Keil Drive North  
Chatham ON N7M 5M1  
Tel: 519 436-5325  
Fax: 519 436-4641  
Email: [pmcmahon@uniongas.com](mailto:pmcmahon@uniongas.com)

8. Vulnerable Energy Consumers  
Coalition

Mr. Michael Buonaguro  
Vulnerable Energy Consumers Coalition  
34 King Street East, Suite 1102  
Toronto ON M5C 2X8  
Tel: 416 767-1666  
Fax: 416 348-0641  
Email: [mbonaguro@piac.ca](mailto:mbonaguro@piac.ca)

AND

Mr. Bill Harper  
Econalysis Consulting Services  
34 King Street East, Suite 1102  
Toronto ON M5C 2X8  
Tel: 416-348-0193 Ext: 29  
Fax: 416-348-0641  
Email: [bharper@econalysis.ca](mailto:bharper@econalysis.ca)

Mr. Roger Higgin  
Econalysis Consulting Services  
34 King Street East, Suite 1102  
Toronto ON M5C 2X8  
Tel: 416 348-9391  
Fax: 416 348-0641  
Email: [rhiggin@econalysis.ca](mailto:rhiggin@econalysis.ca)