



EB-2010-0146

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 or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas commencing January 1, 2011.

PROCEDURAL ORDER NO. 1

Enbridge Gas Distribution Inc. ("Enbridge" or the "Applicant") filed an Application on September 1, 2010 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 or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2011. The Board assigned file number EB-2010-0146 to the Application and has issued a Notice of Application dated September 13, 2010 (the "Notice").

The Application is for rates for 2011 to be set under the multi-year Incentive Regulation plan methodology as approved by the Board under File No. EB-2007-0615. 2011 will be the fourth year of the five year plan. The rates under the plan are adjusted each year by the application of a Distribution Revenue Requirement per Customer Formula. The Applicant's evidence was filed on October 1, 2010.

Intervenors

The Board received requests for intervenor status from parties responding to the Notice. The Board will grant intervenor status to all the parties that requested such status. These parties are:

- Building Owners and Managers Association of the Greater Toronto Area (“BOMA”)
- Canadian Manufacturers & Exporters (“CME”)
- Comsatec Inc.
- Consumers Council of Canada (“CCC”)
- Direct Energy Marketing Limited
- ECNG Energy L.P.
- Energy Probe Research Foundation (“Energy Probe”)
- Federation of Rental-housing Providers of Ontario (“FRPO”)
- Industrial Gas Users Association
- Jason Stacey, Natural Gas Specialist
- Just Energy Ontario L.P.
- Ontario Association of Physical Plant Administrators (“OAPPA”)
- Ontario Power Generation Inc.
- School Energy Coalition (“SEC”)
- Shell Energy North America (Canada) Inc.
- TransCanada Energy Ltd.
- TransCanada Pipelines Limited
- Union Gas Limited
- Vulnerable Energy Consumer’s Coalition (“VECC”)

The Board received one request for Observer status. The Board grants the request for Observer status from:

- TransAlta Corporation

Cost Award Eligibility

A number of parties responding to the Notice requested eligibility to claim an award of costs. The Board hereby grants cost eligibility status to BOMA, CME, CCC, Energy Probe, FRPO, IGUA, OAPPA, SEC and VECC.

A Draft Issues List is attached as Appendix "A".

The Board will now make provision for the following procedural matters.

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

THE BOARD ORDERS THAT:

1. The approved List of Intervenors is attached as Appendix "B" to this procedural order.
2. All parties, including Enbridge, wishing to make a submission on the Draft Issues List attached to this Order may do so on or before **October 21, 2010**.
3. Enbridge may reply to any submission on the Draft Issues List by **October 25, 2010**.
4. Parties seeking information and material on Enbridge's evidence shall request it by written interrogatories filed with the Board and delivered to all the parties no later than **October 29, 2010**.
5. Enbridge shall file complete responses to all the interrogatories with the Board and deliver the responses to the other parties no later than **November 12, 2010**.
6. A Settlement Conference will be convened at **9:00 a.m. on November 17 and November 19, 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, Ontario.

7. The Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:45 p.m. on **November 24, 2010**.
8. The oral hearing will commence at **9:30 a.m. November 30, 2010** in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto, Ontario.

All filings to the Board must quote file number EB-2010-0146 and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format filed through the Board's web portal at www.errr.oeb.gov.on.ca. Filings must clearly state the sender's name, postal address and telephone number and, if available, a fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found on the "e-Filing Services" webpage of the Board's website at www.oeb.gov.on.ca. If the web portal is not available you may email your document to BoardSec@oeb.gov.on.ca.

DATED at Toronto, October 15, 2010
ONTARIO ENERGY BOARD

Original signed by

John Pickernell
Assistant Board Secretary

**APPENDIX A
To
Procedural Order No 1**

Enbridge 2011 Rates - EB-2010-0146

Draft Issues List

1. Has Enbridge calculated its proposed distribution revenue requirement, including the assignment of that revenue requirement to the rate classes and the resulting rates, in accordance with the EB-2007-0615 incentive settlement agreement?
2. Is the forecast of degree days appropriate?
3. Is the forecast of average use appropriate?
4. Is the forecast of customer additions appropriate?
5. Is the gas volume budget appropriate?

Y FACTORS

6. Is the amount proposed for the Y factor Power Generation Projects appropriate?
7. Is the amount proposed for the Y factor DSM Program appropriate?
8. Is the amount proposed for the Y factor for CIS/Customer Care appropriate?
9. Is the amount proposed for the Y factor - Gas Cost & Carrying Cost appropriate?

DEFERRAL AND VARIANCE ACCOUNTS

10. Is it appropriate to establish for 2011 the previously agreed upon list of deferral and variance accounts from the Settlement Agreement in the EB-

2007-0615 proceeding, updated to include additional approved accounts as identified in the Company's 2010 rates proceeding (EB-2009-0172)?

11. Is it appropriate to discontinue for 2011 the Change in Purchased Gas Variance Disposition Methodology DA ("CPGVDMDA")?
12. What is the appropriate treatment of the rule changes with respect to the Ontario provincial capital tax in the Tax Rate and Rule Change Variance Account ("TRRCVA")? (ref: C/1/2)

IMPLEMENTATION

13. How should the new rates be implemented?

**APPENDIX B
To
Procedural Order No 1**

Enbridge 2011 Rates - EB-2010-0146

List of Intervenors

Enbridge Gas Distribution Inc.

EB-2010-0146

APPLICANT & LIST OF INTERVENORS

October 13, 2010

APPLICANT

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Enbridge Gas Distribution Inc.

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APPLICANT & LIST OF INTERVENORS

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October 13, 2010

INTERVENORS

Rep. and Address for Service

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Managers Assoc. of the
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Enbridge Gas Distribution Inc.

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APPLICANT & LIST OF INTERVENORS

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October 13, 2010

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Enbridge Gas Distribution Inc.

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APPLICANT & LIST OF INTERVENORS

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October 13, 2010

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Enbridge Gas Distribution Inc.

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APPLICANT & LIST OF INTERVENORS

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October 13, 2010

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Enbridge Gas Distribution Inc.

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APPLICANT & LIST OF INTERVENORS

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October 13, 2010

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Enbridge Gas Distribution Inc.

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October 13, 2010

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Enbridge Gas Distribution Inc.

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October 13, 2010

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APPLICANT & LIST OF INTERVENORS

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October 13, 2010

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