



EB-2010-0148

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 an Order or Orders approving or fixing just and
reasonable rates and other charges for the sale, distribution,
transmission and storage of gas effective January 1, 2011.

PROCEDURAL ORDER NO. 1

Union Gas Distribution Inc. ("Union" or the "Applicant") filed an Application on September 15, 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-2010-0148 to the Application and issued a Notice of Application on September 22, 2010.

On September 23, 2010 Union filed the evidence and a draft rate order in support of its Application.

The Board received applications for intervenor status from nineteen parties. No objections were received from Union with respect to the parties seeking intervenor status. The Board grants intervenor status to the parties indicated in the List of Intervenors attached as Appendix A.

The Board received applications for cost eligibility from Canadian Manufacturers and Exporters, the City of Kitchener, Energy Probe Research Foundation, Federation of Rental-housing Providers of Ontario, the Industrial Gas Users Association, the London Property Management Association, the Ontario Association of Physical Plant

Administrators, Pollution Probe and the Vulnerable Energy Consumers Coalition. No objections were received from Union with respect to cost eligibility requests. The Board has determined that all of the intervenors who requested cost award eligibility are eligible to apply for an award of costs.

Most parties who commented on the particulars of the proceeding supported a written hearing, based on their current understanding of the Application, and saw merit in convening a settlement conference.

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 List of Intervenors for this proceeding is attached as Appendix A to this Order.
2. Intervenors and Board staff who wish information and material from Union that is in addition to the evidence filed with the Board, and that is relevant to this proceeding, shall request it by written interrogatories filed with the Board and delivered to Union on or before **Thursday, October 28, 2010**.
3. Union shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **Thursday, November 4, 2010**.
4. A Settlement Conference will be convened on **Monday, November 8, 2010** at 9:00 a.m. with the objective of reaching a settlement among the parties. The Settlement Conference will be held at 2300 Yonge Street, Toronto in the Board's hearing room on the 25th Floor.
5. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:45 p.m. on **Thursday, November 11, 2010**.
6. If necessary, the Board may sit on **Thursday, November 18, 2010** at 9:30 a.m. to review the Settlement Proposal.

All filings to the Board must quote file number **EB-2010-0148** and 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 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. If the web portal is not available you may email your document to BoardSec@oeb.gov.on.ca. 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 seven 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. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Hima Desai at hima.desai@oeb.gov.on.ca and Board Counsel, Kristi Sebalj at kristi.sebalj@oeb.gov.on.ca.

DATED at Toronto, October 20, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX "A"

UNION GAS LIMITED

EB-2010-0148

APPLICANT AND LIST OF INTERVENORS

Union Gas Limited

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APPLICANT & LIST OF INTERVENORS

October 20, 2010

APPLICANT

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INTERVENORS

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APPLICANT & LIST OF INTERVENORS

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**Vulnerable Energy Consumers
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