



**EB-2010-0042**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Sched. B);

**AND IN THE MATTER OF** an Application by Enbridge Gas Distribution Inc. for an order or orders approving the clearance or disposition of amounts recorded in certain deferral or variance accounts.

### **PROCEDURAL ORDER NO. 3**

Enbridge Gas Distribution Inc. ("Enbridge" or the "Company") filed an application, dated April 16, 2010 (the "Application"), with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act, S.O. 1998, c.15, Schedule B* (the "Act") for an order approving the disposition of balances in certain deferral or variance accounts. The Board assigned file number EB-2010-0042 to the Application and issued its Notice of Application & Procedural Order No. 1 on May 6, 2010.

The Board scheduled a Settlement Conference on June 21 and 22, 2010 and Enbridge filed the Settlement Agreement on June 29, 2010. The Board accepted the Settlement Agreement in its Decision and Procedural Order No. 2 dated July 8, 2010.

#### **Draft Rate Order**

On November 26, 2010, and in accordance with section 20 of the Settlement Agreement, Enbridge filed a Draft Rate Order with schedules showing balances, unit rates by rate class, and clearance timing for the clearance of the subject deferral and variance account balances. The clearances were agreed in the Settlement Agreement to be implemented as a one-time clearance to customers in the January 2011 billing cycle. All parties to the proceeding were provided copy of the Draft Rate Order.

The Board will now make provision for parties to comment on the Draft Rate Order if they so wish.

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

**THE BOARD ORDERS THAT:**

1. Parties including Board staff shall have until **December 2, 2010** to comment, if they so choose, on the Draft Rate Order. Enbridge shall reply by **December 6, 2010** to any comments submitted on the Draft Rate Order.

All parties shall file their submissions with the Board Secretary and must quote File Number EB-2010-0042. These submissions should 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, 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](http://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 or diskette 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](mailto:colin.schuch@oeb.gov.on.ca) and Board Counsel, Maureen Helt at [maureen.helt@oeb.gov.on.ca](mailto:maureen.helt@oeb.gov.on.ca).

**DATED** at Toronto, November 29, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary