



EB-2010-0333

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 pre-approving
the cost consequences associated with a long-term
natural gas transportation contract.

**NOTICE OF APPLICATION
AND PROCEDURAL ORDER NO. 1**

Enbridge Gas Distribution Inc. ("Enbridge" or the "Applicant") filed an application (the "Application") dated November 9, 2010 with the Ontario Energy Board (the "Board") seeking approval of the cost consequences associated with a long-term natural gas transportation contract. The contract is for transportation service on the TransCanada PipeLines ("TCPL") system between Niagara and Enbridge's Central Delivery Area ("CDA"). Enbridge has filed written evidence in support of the Application. The Application has been assigned Board File No. EB-2010-0333.

Enbridge was awarded transportation capacity with TCPL through an open season process earlier this year. Under the terms of the open season process, Enbridge must sign the contract with TCPL by November 2010, but has until January 31, 2011 to terminate the contract without penalty. As a result, Enbridge has requested approval before January 28, 2011.

The contract is for a ten-year term for 30,000 GJ/d firm transportation service. At current National Energy Board rates, the annual demand commitment is \$991,000 CDN for the first year and \$1,325,000 CDN for each of the remaining years of the contract.

A list of pre-approved Intervenor is attached as Appendix "A" to this Order and consists of an updated list of all participants in the current Enbridge rate hearing EB-2010-0146

and all participants in the EB-2008-0280 proceeding which established the Filing Guidelines for Pre-Approval of Long-term Natural Gas Supply and/or Upstream Transportation Contracts. The Board may order costs in this proceeding. Parties that do wish to participate and intend to seek costs should advise the Board by way of letter and provide a copy of the letter to the applicant. Parties listed in Appendix 'A' that do not wish to participate in the current proceeding may also advise the Board.

Enbridge has requested a written hearing process to review this Application. At this time the Board has not decided whether there will be a written or an oral hearing process. Accordingly, please be aware that the Board will issue another Procedural Order regarding this proceeding at a later date.

THE BOARD THEREFORE ORDERS THAT:

1. Enbridge shall immediately serve a copy this Notice of Application and Procedural Order No. 1, along with a copy of the Application and pre-filed evidence to all intervenors listed in Appendix "A". Enbridge shall provide affidavit evidence of all deliveries to the Board.
2. Parties who intend to seek costs in this proceeding must advise the Board and the Applicant and include the grounds for their eligibility for costs by **Friday, December 10, 2010**.
3. Intervenors and Board staff who wish information and material from Enbridge in addition to evidence already 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 Company on or before **Tuesday, December 14, 2010**.
4. Enbridge shall file with the Board complete responses to the interrogatories and deliver them to the Intervenors no later than **Wednesday, December 29, 2010**.

All filings to the Board must quote file number **EB-2010-0333**, 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 the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All parties must also provide the Case Manager, Ms. Hima Desai, Hima.Desai@oeb.gov.on.ca , with an electronic copy of all comments and correspondence related to this case.

IMPORTANT: If you do not file any comments in response to this notice, the Board may proceed without your participation and you will not be entitled to any further notice of these proceedings.

ISSUED at Toronto, December 1, 2010

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX A

NOTICE OF WRITTEN HEARING AND PROCEDURAL ORDER NO. 1

APPLICANT AND LIST OF INTERVENORS

BOARD FILE NO: EB-2010-0333

DATED DECEMBER 1, 2010

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

December 1, 2010

APPLICANT

Rep. and Address for Service

Enbridge Gas Distribution Inc.

Shari Lynn Spratt

Regulatory Coordinator
Enbridge Gas Distribution Inc.
500 Consumers Road
P.O. Box 650
Toronto, ON M2J 1P8

Tel: 416-495-5499

Fax: 416-495-6072

EGDRegulatoryProceedings@enbridge.com

Enbridge Gas Distribution Inc.

Mr Norm Ryckman

Enbridge Gas Distribution Inc.
Director, Regulatory Affairs
500 Consumers Road
Toronto ON M2J 1P8

Tel: 416-495-5499

Fax: 416-495-6072

EGDRegulatoryProceedings@enbridge.com

APPLICANT COUNSEL

Fred Cass

Aird & Berlis LLP

Suite 1800, P.O. Box 754

Brookfield Place, 181 Bay Street

Toronto ON M5J 2T9

Tel: 416-863-1500

Fax: 416-863-1515

fcass@airdberlis.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 2 -

December 1, 2010

David Stevens

Aird & Berlis LLP

BCE Place

181 Bay Street, Suite 1800

P. O. Box 754

Toronto ON M5J 2T9

Tel: 416-865-7783

Fax: Not Provided

dstevens@airdberlis.com

INTERVENORS

Alliance Pipeline Ltd.

Rep. and Address for Service

Brian Troicuk

Regulatory Affairs Manager

BP Canada Energy Company

240 - 4 Avenue S.w. P.o. Box 200

Calgary AB T2P 2H8

Tel: 403-233-1356

Fax: 403-233-5667

brian.troicuk@alliancepipeline.com

Eric Besseling

Director

Alliance Pipeline Ltd.

600, 605-5 Avenue S.W.

Calgary AB T2P 3H5

Tel: 403-517-6551

Fax: Not Provided

eric.besseling@alliance-pipeline.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 3 -

December 1, 2010

**Association of Power
Producers of Ontario**

David Butters

President & CEO
Association of Power Producers of Ontario
25 Adelaide St. E.
Suite 1602
Toronto ON M5C 3A1
Tel: 416-322-6549 Ext: 231
Fax: 416-481-5785
David.Butters@appro.org

John Wolnik

Elenchus Research Associates (ERA)
34 King St. E.
6th Floor
Toronto ON M5C 2X8
Tel: 519-474-0844
Fax: 519-474-0844
jwolnik@era-inc.ca

BP Canada Energy Company

Cheryl Worthy

Regulatory Affairs Manager
BP Canada Energy Company
240 - 4 Avenue S.W.
Calgary AB T2P 2H8
Tel: 403-233-1569
Fax: 403-233-5667
cheryl.worthy@bp.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 4 -

December 1, 2010

**Building Owners and
Managers Assoc. of the
Greater Toronto Area
(BOMA)**

Chris Conway

President and Chief Staff Officer
Building Owners and Managers Assoc. of the
Greater Toronto Area (BOMA)
20 Queen Street West
Suite 2012
Toronto ON M5H 3R3
Tel: 416-596-8065
Fax: 416-596-1085
cconway@bomatoronto.org

Randy Aiken

Aiken & Associates
578 McNaughton Ave. W.
Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: 519-351-4331
randy.aiken@sympatico.ca

Chuck Stradling

Executive VP
Building Owners and Managers Association of
Greater Toronto
20 Queen Street W.
Suite 2012
Toronto ON M5H 3R3
Tel: 416-596-8065 Ext: 24
Fax: 416-596-1085
cstradling@bomatoronto.org

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 5 -

December 1, 2010

**Canadian Manufacturers &
Exporters**

Jack Hughes

Counsel
Borden Ladner Gervais LLP
1100-100 Queen Street
Ottawa ON K1P 1J9
Tel: 613-237-5160
Fax: 613-230-8842
jhughes@blg.com

Paul Clipsham

Director of Policy, Ontario Division
Canadian Manufacturers & Exporters
6725 Airport Rd.
Suite 200
Mississauga ON L4V 1V2
Tel: 905-672-3466 Ext: 3236
Fax: 905-672-1764
paul.clipsham@cme-mec.ca

Peter Thompson, Q.C.

Borden Ladner Gervais LLP
100 Queen St.
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-787-3528
Fax: 613-230-8842
pthompson@blg.com

Vincent DeRose

Borden Ladner Gervais LLP
100 Queen St.
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-787-3589
Fax: 613-230-8842
vderose@blg.com

Enbridge Gas Distribution Inc.

EB-2010-0333

APPLICANT & LIST OF INTERVENORS

- 6 -

December 1, 2010

Comsatec Inc.

David Waque

Accounts Representative
Comsatec Inc.

365 Parkside Drive

Toronto ON M9R 2Z5

Tel: 416-620-7055

Fax: 416-620-7703

dwaque@comsatec.com

**Consumers Council of
Canada**

Julie Girvan

Consultant

Consumers Council of Canada

62 Hillside Ave. East

Toronto ON M4S 1T5

Tel: 416-322-7936

Fax: 416-322-9703

jgirvan@ca.inter.net

Robert B. Warren

Counsel

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

rwarren@weirfoulds.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 7 -

December 1, 2010

**Direct Energy Marketing
Limited**

Ric Forster

Director
Direct Energy Marketing Inc.
2225 Sheppard Avenue E.
Atria III
Toronto ON M2J 5C2
Tel: 416-718-5942
Fax: 416-758-4272
ric.forster@directenergy.com

ECNG Energy L.P.

Bill Killeen

Director, Energy Supply & Regulatory
ECNG Energy L.P.
5575 North Service Rd.
Suite 400
Burlington ON L7L 6M1
Tel: 905-635-3288
Fax: 905-635-3298
bkilleen@ecng.com

**Enbridge Gas Distribution
Inc.**

Norm Ryckman

Director, Regulatory Affairs
Enbridge Gas Distribution Inc.
500 Consumers Road
Toronto ON M2J 1P8
Tel: 416-495-5499
Fax: 416-495-6072
EGDRegulatoryProceedings@enbridge.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 8 -

December 1, 2010

**Enbridge Gas Distribution
Inc.**

Shari Lynn Spratt

Regulatory Coordinator
Enbridge Gas Distribution Inc.
500 Consumers Road
P.O. Box 650
Toronto ON M2J 1P8
Tel: 416-495-5499
Fax: 416-495-6072
EGDRegulatoryProceedings@enbridge.com

**Energy Probe Research
Foundation**

David MacIntosh

Case Manager
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
DavidMacIntosh@nextcity.com

**Federation of Rental-housing
Providers of Ontario**

Dwayne Quinn

Principal
Dr Quinn & Associates Ltd.
130 Muscovey Drive
Elmira ON N3B 3P7
Tel: 519-500-1022
Fax: 416-no fax provided
drquinn@rogers.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 9 -

December 1, 2010

**Federation of Rental-housing
Providers of Ontario**

Vince Brescia

President & CEO
Federation of Rental-housing Providers of Ontario
20 Upjohn Road, Suite 105
Toronto ON M3B 2V9
Tel: 416-385-1100 Ext: 20
Fax: 416-385-7112
vbrescia@frpo.org

**Gazprom Marketing &
Trading USA, Inc**

John Hattenberger

President and Managing Director
Gazprom Marketing & Trading USA, Inc
700 Louisiana Street
Suite 2500
Houston TX 77002
Tel: 281-404-4502
Fax: 281-404-4501
john.hattenberger@gazprom-mt.com

Peter Abt

Gazprom Marketing & Trading USA, Inc
700 Louisiana Street
Suite 2500
Houston TX 77002
Tel: 281-404-4500
Fax: Not Provided
peter.abt@gazprom-mt.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 10 -

December 1, 2010

**Industrial Gas Users
Association**

Ian Mondrow

Gowling Lafleur Henderson LLP
1 First Canadian Place
100 King S. W. Suite 1600
Toronto ON M5X 1G5
Tel: 416-369-4670
Fax: 416-862-7661
ian.mondrow@gowlings.com

Murray Newton

President
Industrial Gas Users Association
99 Metcalfe St. Suite 1201
Ottawa ON K1P 6L7
Tel: 613-236-8021
Fax: 613-230-9531
mnewton@igua.ca

Jason F. Stacey

Jason Stacey

Jason F. Stacey
471 Lincoln Gate
Oakville ON L6H 3J8
Tel: 905-338-8786
Fax: 905-338-5348
jfstacey@interlog.com

Just Energy Ontario L.P.

Nola Ruzyski

Director, Regulatory Affairs
Just Energy Ontario L.P.
6345 Dixie Rd. Suite 200
Mississauga ON L5T 2E6
Tel: 905-795-4204
Fax: 905-564-6069
nruzycki@justenergy.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 11 -

December 1, 2010

**Natural Resource Gas
Limited**

John Beauchamp

Ogilvy Renault LLP
Suite 3800
Royal Bank Plaza, South Tower
200 Bay St. P.O. Box 84
Toronto ON M5J 2Z4
Tel: 416-216-1927
Fax: 416-216-3930
jbeauchamp@ogilvyrenault.com

Jonathan Myers

Torys LLP
79 Wellington St. W.
Suite 3000, Maritime Life Tower
P.O. Box 270, Toronto Dominion Centre
Toronto ON M5K 1N2
Tel: 416-865-7532
Fax: 416-865-7380
jmyers@torys.com

**Ontario Association of
Physical Plant
Administrators**

Valerie Young

Director, Research & Analysis
Aegent Energy Advisors Inc.
1 Eva Rd. Suite 317
Toronto ON M9C 4Z5
Tel: 416-622-9449 Ext: 104
Fax: 416-622-9797
vyoung@aegent.ca

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 12 -

December 1, 2010

**Ontario Power Generation
Inc.**

Barbara S. Reuber

Director, Ontario Regulatory Affairs
Ontario Power Generation Inc.
700 University Ave. H18-G2
Toronto ON M5G 1X6
Tel: 416-592-5419
Fax: 416-592-8519
barbara.reuber@opg.com

Carlton Mathias

Senior Counsel
Ontario Power Generation Inc.
700 University Avenue
H18-A24
Toronto ON M5G 1X6
Tel: 416-592 4964
Fax: 416-592-1466
carlton.mathias@opg.com

Grace Lam

Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue
(H18 E3)
opgregaffairs@opg.com
Toronto ON M5G 1X6
Tel: 416-592-3703
Fax: Not Provided
opgregaffairs@opg.com

Enbridge Gas Distribution Inc.

EB-2010-0333

APPLICANT & LIST OF INTERVENORS

- 13 -

December 1, 2010

**Ontario Power Generation
Inc.**

Garry Hendel

Senior Advisor, Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue, H18-g1
Toronto ON M5G 1X6
Tel: 416-592-6054
Fax: 416-592-8519
garry.hendel@opg.com

Randy Pugh

Manager, Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue, Hi 8-f1
Toronto ON M5G 1x6
Tel: 416-592-3546
Fax: 416-592-8519
randy.pugh@opg.com

Pollution Probe Foundation

Basil Alexander

Klippensteins, Barristers & Solicitors
160 John St. Suite 300
Toronto ON M5V 2E5
Tel: 416-598-0288
Fax: 416-598-9520
basil.alexander@klippensteins.ca

Jack Gibbons

Public Interest Economics
625 Church St. Suite 402
Toronto ON M4Y 2G1
Tel: 416-926-1907 Ext: 240
Fax: 416-926-1601
jgibbons@pollutionprobe.org

Enbridge Gas Distribution Inc.

EB-2010-0333

APPLICANT & LIST OF INTERVENORS

- 14 -

December 1, 2010

Pollution Probe Foundation

Murray Klippenstien

Klippensteins, Barristers & Solicitors

160 John St. Suite 300

Toronto ON M5V 2E5

Tel: 416-598-0288

Fax: 416-598-9520

murray.klippenstein@klippensteins.ca

School Energy Coalition

Jay Shepherd

Jay Shepherd Professional Corporation

2300 Yonge St.

8th Floor, Suite 806

Toronto ON M4P 1E4

Tel: 416-483-3300

Fax: 416-483-3305

jay.shepherd@canadianenergylawyers.com

**Shell Energy North America
(Canada) Inc.**

Paul Kerr

Manager, Market Affairs

Shell Energy North America (Canada) Inc.

90 Sheppard Ave E.

Suite 600

Toronto ON M2N 6Y2

Tel: 416-227-7312

Fax: 877-397-0413

paul.kerr@shell.com

Enbridge Gas Distribution Inc.
EB-2010-0333

APPLICANT & LIST OF INTERVENORS

- 15 -

December 1, 2010

**The Corporation of the City
of Kitchener**

James Gruenbauer

Manager, Regulatory Affairs & Supply
The Corporation of the City of Kitchener - Utilities
Division
Financial Services Dept., Kitchener Util
City Hall, P.O. Box 1118
200 King St. W., 5th Floor
Kitchener ON N2G 4G7
Tel: 519-741-3400 Ext: 3255
Fax: 519-741-2633
jim.gruenbauer@kitchener.ca

**TransAlta Cogeneration
Limited Partnership**

Elisabeth Demarco

Counsel
Macleod Dixon LLP Barristers & Solicitors
Toronto Dominion Centre
100 Wellington St. W. Suite 500
P.O. Box 128
Toronto ON M5K 1H1
Tel: 416-203-4431
Fax: 416-360-8277
elisabeth.demarco@macleoddixon.com

Rob Findlay

TransAlta Cogeneration Limited Partnership
110 - 12th Avenue S.W.
Box 1900, Station "M"
Calgary AB T2P 2M1
Tel: 403-267-6947
Fax: 403-267-7355
Rob_Findlay@transalta.com

Enbridge Gas Distribution Inc.

EB-2010-0333

APPLICANT & LIST OF INTERVENORS

- 16 -

December 1, 2010

TransCanada Energy Ltd.

Brian Kelly

Manager - Eastern Canada
TransCanada Power Transmission (Ontario) L.P.
200 Bay St.
24th Floor, South Tower
Toronto ON M5J 2J1
Tel: 416-869-2183
Fax: 416-869-2114
brian_kelly@transcanada.com

Nadine Berge

Senior Legal Counsel
TransCanada PipeLines Limited
450 - 1st Street S.W.
Calgary AB T2P 5H1
Tel: 403-920-6253
Fax: 403-920-2357
nadine_berge@transcanada.com

**TransCanada PipeLines
Limited**

James Bartlett

Manager, Regulatory Research & Analysis
TransCanada PipeLines Limited
450-1st Street S.W.
Calgary AB T2P 5H1
Tel: 403-920-7165
Fax: 403-920-2347
jim_bartlett@transcanada.com

Murray Ross

TransCanada PipeLines Limited
200 Bay Street
Royal Bank Plaza
24th floor, South Tower
Toronto ON M5J 2J1
Tel: 416-869-2110
Fax: 416-869-2119
murray_ross@transcanada.com

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 17 -

December 1, 2010

Union Gas Limited

Patrick McMahon

Manager, Regulatory Research and Records
Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1
Tel: 519-436-5325
Fax: 519-436-4641
pmcmahon@uniongas.com

Marian Redford

Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1
Tel: 519-436-4600 Ext: 2580
Fax: 519-436-4641
mredford@uniongas.com

Mark Kitchen

Director, Regulatory Affairs
Union Gas Limited
50 Keil Drive North
P.O. Box 2001
Chatham ON N7M 5M1
Tel: 519-436-5275
Fax: 519-436-4641
mkitchen@uniongas.com

**Vulnerable Energy
Consumers Coalition**

Michael Buonaguro

Counsel
Public Interest Advocacy Centre
34 King St. E., Suite 1102
Toronto ON M5C 2X8
Tel: 416-767-1666
Fax: 416-348-0641
mbuonaguro@piac.ca

**Enbridge Gas Distribution Inc.
EB-2010-0333**

APPLICANT & LIST OF INTERVENORS

- 18 -

December 1, 2010

**Vulnerable Energy
Consumers Coalition**

Roger Higgin

Managing Associate
Econalysis Consulting Services Inc.
34 King St. E.
Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0193
Fax: 416-348-0641
rhiggin@econalysis.ca

James Wightman

Consultant
Econalysis Consulting Services Inc.
34 King St. E. Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0640
Fax: 416-348-0641
jwightman@econalysis.ca