



EB-2011-0290

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 extending the
exemption from Section 2.2.2 of the Affiliate Relationship
Code to continue to allow Enbridge Gas Distribution Inc.
to share certain information systems with Gazifere Inc.
until June 30, 2012.

**NOTICE OF APPLICATION AND WRITTEN HEARING,
INTERIM DECISION AND ORDER
AND PROCEDURAL ORDER NO. 1**

Enbridge Gas Distribution Inc. ("Enbridge" or the "Applicant") filed an application (the "Application") on June 30, 2011 with the Ontario Energy Board (the "Board") seeking an extension to its exemption from Section 2.2.2 of the Affiliate Relationship Code ("ARC") to continue to allow Enbridge to share certain information systems with Gazifere Inc. ("Gazifere") until June 30, 2012.

In its December 22, 2008 Decision in the EB-2008-0275 proceeding, the Board granted Enbridge an exemption from Section 2.2.2 of the ARC to allow Enbridge to share certain information systems with Gazifere until July 31, 2011. However, due to a delay in implementing two system modifications that Enbridge must undertake to segregate Gazifere data from Enbridge data, Enbridge requires a continuation of the exemption from Section 2.2.2 of the ARC until June 30, 2012.

On August 11, 2011, Enbridge filed a letter requesting an Interim Order from the Board granting Enbridge an extension on the exemption from Section 2.2.2 of the ARC until the conclusion of this proceeding. The Board will grant the requested interim relief until such time as the Board issues a final decision and order in this proceeding.

Enbridge has filed written evidence in support of the Application and the Application has been assigned Board File No. EB-2011-0290.

WRITTEN HEARING

The Board intends to proceed in this matter by way of a written hearing unless any party provides a good reason why it should proceed by way of an oral hearing. 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 initial ARC exemption proceeding EB-2008-0275. Listed parties who do not wish to participate in the current proceeding may so advise the Board.

THE BOARD THEREFORE ORDERS THAT:

1. Enbridge is granted an interim exemption from Section 2.2.2 of the ARC until such time that a Final Decision and Order is issued in the EB-2011-0290 proceeding.
2. Enbridge shall immediately serve a copy this Notice of Application and Written Hearing, Interim Decision and Order 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.
3. Intervenor and Board staff who wish information and material from Union 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 Enbridge on or before **September 2, 2011**.
4. Enbridge shall file with the Board complete responses to the interrogatories and deliver them to the Intervenor no later than **September 16, 2011**.
5. Enbridge may, if it wishes, file with the Board its argument-in-chief and deliver it to the Intervenor no later than **September 23, 2011**.
6. Argument with respect to all issues shall be filed with the Board by Intervenor and Board Staff on or before **September 30, 2011** and shall be served simultaneously on Enbridge and other Intervenor.

7. Reply argument of the Applicant shall be filed with the Board on or before October 14, 2011, and shall be simultaneously served on Intervenor.

All filings to the Board must quote file number **EB-2011-0290**, be made through the Board's web portal at www.errr.ontarioenergyboard.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.ontarioenergyboard.ca. If the web portal is not available you may email your document to the BoardSec@ontarioenergyboard.ca. 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 seven paper copies. If you have submitted through the Board's web portal an e-mail is not required. 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. All parties must also provide the Case Manager, Lawrie Gluck, lawrie.gluck@ontarioenergyboard.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, August 12, 2011

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-2011-0290

**Enbridge Gas Distribution Inc.
EB-2011-0290**

APPLICANT & LIST OF INTERVENORS

August 12, 2011

APPLICANT

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INTERVENORS

Rep. and Address for Service

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**Enbridge Gas Distribution Inc.
EB-2011-0290**

APPLICANT & LIST OF INTERVENORS

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August 12, 2011

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**Enbridge Gas Distribution Inc.
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APPLICANT & LIST OF INTERVENORS

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Association**

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