



EB-2005-0201

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, pursuant to subsection 90(1), for an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Township of Brooke-Alvinston, the Township of Adelaide-Metcalf and the Township of Strathroy-Caradoc and in the City of Hamilton, the City of Burlington and the Town of Milton.

PROCEDURAL ORDER NO. 2

An application dated February 8, 2005 (the Application) had been filed by Union Gas Limited (Union) with the Ontario Energy Board (the "Board" under section 90 of the *Ontario Energy Board Act, 1998* (the "Act")) seeking an Order or Orders of the Board granting leave to construct two sections of natural gas pipeline along with associated compressor station modifications. The Application was assigned Board File No. EB-2005-0201. The Board granted the Application by way of Oral Decision rendered on June 28, 2005. The Leave to Construct Order was issued on July 6, 2005. By an administrative omission the cost award part of the process was not completed at that time.

The registered intervenors in the proceeding were: Alberta Northeast Gas Limited; Enbridge Gas Distribution Inc.; Kitchener Utilities; London Property Management Association; Ontario Power Generation; TransCanada Energy Ltd.; TransCanada Pipelines Limited; Twin Elm Estates Ltd.; Vulnerable Energy Consumer Coalition ("VECC"); Federation of Northern Ontario Municipalities ("FONOM").

The following intervenors were granted eligibility to apply for cost award: VECC and FONOM.

On August 19, 2011, VECC brought to the Board's attention that the Board had not issued a decision for a cost claim filed by VECC on July 27, 2005. According to the Board records no other cost claims were received in relation to this proceeding.

To complete the cost award process the Board will issue this procedural order setting the schedule for cost related filings.

The Board considers it necessary to make provision for the following items related to the Application.

THE BOARD ORDERS THAT:

1. VECC shall re-file a copy of its Cost Claim in accordance with the *Practice Direction on Cost Awards* with the Board Secretary and will serve it on the applicant within 15 days of the date of this Procedural Order;
2. FONOM may seek an award of costs incurred through its participation in the EB-2005-0201 proceeding and shall file its Cost Claim in accordance with the *Practice Direction on Cost Awards* with the Board Secretary and with the Applicant within 15 days of the date of this Procedural Order;
3. The Applicant may make submissions objecting to cost claims within 30 days of this Procedural Order;
4. VECC and FONOM may reply to Applicant's submissions within 45 days of the date of this Procedural Order.

All filings to the Board must quote file number **EB-2005-0201**, 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. Parties must 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 parties may email their 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.

Address

The Ontario Energy Board:

Post:
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E-mail: Boardsec@ontarioenergyboard.ca

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DATED at Toronto, September 26, 2011
ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary