



**EB-2011-0242**  
**EB-2011-0283**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B; and in particular section 36 (2) thereof;

**AND IN THE MATTER OF** an application by Enbridge Gas Distribution Inc. for an Order or Orders approving and setting prices for Enbridge Gas Distribution Inc.'s purchase of biomethane;

**AND IN THE MATTER OF** an application by Union Gas Limited for an Order or Orders approving and setting prices for Union Gas Limited's purchase of biomethane.

### **PROCEDURAL ORDER NO. 1**

Enbridge Gas Distribution Inc. ("Enbridge") and Union Gas Limited ("Union Gas" or combined "the companies") have each filed an application with the Ontario Energy Board (the "Board") seeking an order or orders approving or fixing rates for the sale of natural gas by Enbridge and Union Gas that include the cost consequences of the purchase of biomethane. The applications are dated September 30, 2011, and have been filed under section 36 of the *Ontario Energy Board Act, 1998*.

The Board has assigned file number EB-2011-0242 to the Enbridge application and file number EB-2011-0283 to the Union Gas application. The Board has decided to hear both applications through a combined proceeding. On October 21, 2011 the Board issued a combined Notice of Application for both applications. Enbridge and Union Gas served and published the Notice of Application as directed by the Board. A list of approved intervenors is attached as Appendix A.

The Board has decided to provide the applicants and intervenors with a Draft Issues List which is attached as Appendix B. The Board will invite the applicants and intervenors to file submissions on the Draft Issues List.

The Board has already decided to conduct an oral hearing, which will be scheduled later. At this time the Board will schedule a Procedural Conference to solicit participants' input on timelines, hearing schedule and any plans for intervenor evidence. The Procedural Conference will not be a forum to discuss any substantive issues related to the applications; rather it is an organizational coordinating effort to ensure procedural efficiency. The Procedural Conference will not be transcribed. It will be led by Board Staff and will not be attended by the Board Members.

The Board considers it necessary to make provision for the following procedural matters. The Board may issue further procedural orders from time to time.

**THE BOARD ORDERS THAT:**

1. The applicants and intervenors may file written comments on the Draft Issues List attached on or before **Wednesday, December 14, 2011**.
2. A Procedural Conference will be convened on **Friday, December 16, 2011** at 9:30 a.m. The Procedural Conference will be held at 2300 Yonge Street, Toronto in the Board's ADR Room on the 25th Floor.

All filings to the Board must quote file numbers **EB-2011-0242 and EB-2011-0283**, be made through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://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](http://www.ontarioenergyboard.ca). If the web portal is not available you may email your document to the [BoardSec@ontarioenergyboard.ca](mailto: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.

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**DATED** at Toronto, December 5, 2011

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**APPENDIX A**

**LIST OF PARTICIPANTS**

**EB-2011-0242**

**EB-2011-0283**

**DATE: December 5, 2011**

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EB-2011-0242**

**APPLICANT & LIST OF INTERVENORS**

December 5, 2011

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December 5, 2011

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**Union Gas Limited**  
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**APPLICANT & LIST OF INTERVENORS**

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**APPENDIX B**

**DRAFT ISSUES LIST**

**EB-2011-0242**

**EB-2011-0283**

**DATE: December 5, 2011**

## DRAFT ISSUES LIST

EB-2011-0242

EB-2011-0283

### 1.0: Role of the Utilities

- 1.1 Do the applications fit with the objectives for natural gas under the OEB Act?
- 1.2 Is the proposed role of both Enbridge and Union in developing and implementing a RNG program reasonable and appropriate?

### 2.0: Pricing Framework

- 2.1 Are the proposed purchase prices from landfill sources reasonable and appropriate?
- 2.2 Is the proposed annual breakpoint per site for landfill sources reasonable and appropriate?
- 2.3 Are the proposed purchase prices from anaerobic digester sources reasonable and appropriate?
- 2.4 Is the proposed annual breakpoint per site for anaerobic digester sources reasonable and appropriate?
- 2.5 Is the proposed maximum term length for RNG contracts (20 years) reasonable and appropriate?

### 3.0: Volume Caps

- 3.1 Is the proposed maximum volume cap of 3.3 petajoules (87 million m<sup>3</sup>) of RNG for Enbridge reasonable and appropriate?
- 3.2 Is the proposed maximum volume cap of 2.2 petajoules (58 million m<sup>3</sup>) for Union reasonable and appropriate?

### 4.0: Supporting Structure

- 4.1 Is the proposed 5-year contract acceptance window following Board approval for RNG supply reasonable and appropriate?
- 4.2 Is the proposed contract structure reasonable and appropriate?
- 4.3 Are the proposed connection procedures reasonable and appropriate?

4.4 Are the proposed capital contributions for potential RNG producers reasonable and appropriate?

4.5 Is the proposed capacity allocation process to access the utilities' distribution and transmission systems reasonable and appropriate?

4.6 Are the proposed gas quality standards to be met reasonable and appropriate?

4.7 Is the proposed system for treating any and all environmental attributes reasonable and appropriate?