



**EB-2011-0210**

**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 section 36(1) of the *Ontario  
Energy Board Act*, 1998, for an order or orders  
approving or fixing just and reasonable rates and  
other charges for the sale, distribution, transmission  
and storage of gas as of January 1, 2013.

**PROCEDURAL ORDER NO. 3**

**(Issued March 5, 2012 and as corrected March 6, 2012)**

Union Gas Limited ("Union" or the "Applicant") filed an application on November 10, 2011 with the Ontario Energy Board (the "Board") under section 36 of the Ontario Energy Board Act, 1998 for an order of the Board approving or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2013 (the "Application"). The Board assigned file number EB-2011-0210 to the Application and issued a Notice of Application on December 1, 2011. The application was filed on the basis of US Generally Accepted Accounting Principles ("USGAAP").

The Board issued its Procedural Order No. 1 on January 11, 2012, which established the approved list of Intervenor for this proceeding. In addition, Procedural Order No.1 recognized the need for the Board's determination on Union's request for the adoption of USGAAP for regulatory purposes (the "Preliminary Issue") in accordance with the Addendum to Report of the Board: Implementing International Financial Reporting Standards in an Incentive Rate Mechanism Environment (the "Addendum Report").

In Procedural Order No. 1 the Board established a timeline for interrogatories, interrogatory responses, submissions, and reply submissions related to the Preliminary Issue in advance of further procedural steps. In addition, the Board adopted the evidence related to the USGAAP issue from Union's 2012 IRM Proceeding EB-2011-0025 (the "Adopted Evidence").

The Board issued its Decision on the Preliminary Issue and Procedural Order No. 2 on March 1, 2012. The Board granted Union approval to use USGAAP for regulatory purposes. The Board also set out the timeline for the Issues Conference, Issues Day Hearing, filing of interrogatories, and responses to the interrogatories.

By letter dated March 2, 2012, Union filed a letter requesting that the Issues Conference be rescheduled for the week of March 19, 2012. Union also requested that the Board extend the amount of time that it has to reply to interrogatories.

By email dated March 2, 2012, the Board requested that intervenors provide comments on the procedural schedule. The Board received comments from the Building Owners and Managers Association of Toronto ("BOMA"), the Canadian Manufacturers & Exporters ("CME"), the City of Kitchener ("Kitchener"), the Consumers Council of Canada ("CCC"), Energy Probe, Federation of Rental-housing Providers of Ontario ("FRPO"), Jason Stacey, the London Property Management Association ("LPMA") and the School Energy Coalition ("SEC").

The Board has determined that it will reschedule the Issues Conference for March 19, 2012. The Board will also set out a revised schedule for filing and responding to interrogatories.

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

**THE BOARD ORDERS THAT:**

1. An Issues Conference, involving Board staff, intervenors and the Applicant, will be convened to review the Draft Issues List with the

- objective of developing a proposed Issues List for presentation to the Board. The Issues Conference will not be transcribed. A proposed Issues List will be formulated and presented to the Board at the conclusion of the Issues Conference. The Issues Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto, on **March 19, 2012** at 9:30 a.m.
2. If necessary, an Issues Day proceeding will take place on **March 22, 2012** at 9:30 a.m. in the Board's hearing room, at which time the Board will hear submissions with respect to any contested issues.
  3. Board staff and intervenors who wish information and material from Union that is in addition to Union's pre-filed evidence with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to Union and all intervenors on or before **April 10, 2012**.
  4. Union shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **May 4, 2012**.

All filings to the Board must quote the file number, **EB-2011-0210**, be made through the Board's web portal at <https://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 <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents 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 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.

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

E-mail: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto March 6, 2012  
**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary