



EB-2012-0055

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
Enbridge Gas Distribution Inc. for an order or orders
approving the clearance or disposition of amounts
recorded in certain deferral or variance accounts.

PROCEDURAL ORDER NO. 2

Enbridge Gas Distribution Inc. ("Enbridge") filed an application dated May 11, 2012 with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act*, 1998, S.O. c.15, Sched. B, for an order or orders approving the disposition of balances in certain deferral or variance accounts established by the Board's Decision and Order in EB-2010-0146 dated November 25, 2010. The Board assigned file number EB-2012-0055 to this Application.

On June 4, 2012, the Board issued its Notice of Application and Procedural Order No. 1 which included an Issues List, a process for written interrogatories, and dates for a Settlement Conference as well as the filing of a Settlement Proposal.

The Settlement Conference was held on August 1, 2012 and August 2, 2012. Enbridge filed a proposed partial Settlement Agreement on August 24, 2012. On September 17, 2012 the Board issued a Decision and Order on the Settlement Agreement accepting the proposed Settlement Agreement and setting November 22, 2012 as the date for an oral hearing of the unsettled issues.

These issues pertain to the 2011 ESMDA and the 2011 Transactional Services Deferral Account ("TSDA"). There were two unsettled issues with respect to the 2011 ESMDA and one issue with respect to the 2011 TSDA. The two issues relating to the 2011 ESMDA were a) the allocation of costs between regulated gas storage activities and unregulated gas storage activities for the purposes of

the 2011 earnings sharing calculation, and b) the amount of the provision for uncollectibles for the purposes of the 2011 earnings sharing calculation.

The accepted Settlement Agreement established that the issue relating to the allocation of costs between regulated and unregulated gas storage activities be dealt with in accordance with the outcome of Enbridge's 2013 Cost of Service proceeding (EB-2011-0354). This issue was settled in the EB-2011-0354 and the Board has accepted this issue as having been settled in this proceeding.

The unsettled issue with respect to the 2011 TSDA related to whether Enbridge has treated the upstream transportation optimization revenues appropriately in 2011 in the context of Enbridge's existing IRM agreement.

The examination of these matters was heard orally by the Board on November 22, 2012. The Board indicated at the close of the hearing that it would subsequently set dates for written argument.

The Board will now make provision for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

All filings to the Board must quote file number EB-2012-0055, be made through the Board's web portal at www.pes.ontarioenergyboard.ca/eservice/, 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.

THE BOARD ORDERS THAT:

1. Board staff may file a written submission with the Board and serve it on Enbridge and all other parties on or before **December 7, 2012**.
2. Intervenors may file a written submission with the Board and serve it on Enbridge, Board staff and all other parties on or before **December 12, 2012**.
3. Enbridge may file a reply submission with the Board and serve it on Board staff and all other parties on or before **December 21, 2012**.

DATED at Toronto, November 29, 2012
ONTARIO ENERGY BOARD

Original Signed by

Kirsten Walli
Board Secretary