



EB-2013-0099

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 approving its proposal for open billing services;

AND IN THE MATTER OF an Application by Enbridge Gas Distribution Inc. for an order or orders amending or varying the rates charged to customers for the sale, distribution, transmission and storage of gas commencing January 1, 2014.

PROCEDURAL ORDER NO. 2
June 26, 2013

Enbridge Gas Distribution Inc. ("Enbridge") filed an application on May 9, 2013 with the Ontario Energy Board under section 36 of the *Ontario Energy Board Act, 1998* for an order of the Board approving its proposal for continuing Open Bill Access ("OBA") services, and the sharing of net revenues from those services with ratepayers. The Board has assigned the application File No. EB-2013-0099 and issued its Notice of Application and Procedural Order No. 1 on June 7, 2013 ("Notice").

In the Notice, the Board requested that any party choosing to file a letter of intervention also provide a submission with respect to the process the Board should follow in this matter and in particular whether the parties would support a process which involved proceeding directly to settlement discussions. All parties responded and none

expressed any objection to the Board proceeding directly to settlement discussions. The Board will therefore provide for a settlement conference in this procedural order.

Intervenor Status and Cost Eligibility

The Board received requests for intervenor and cost eligibility status. The following parties filed requests for intervenor status, but not cost eligibility:

1. Direct Energy Marketing Limited
2. EnerCare Inc.
3. Just Energy Ontario L.P.
4. Union Gas Limited
5. Vista Credit Corp.

The Board grants intervenor status to each of these parties.

The following parties filed requests for intervenor status and cost eligibility:

6. Canadian Manufacturers and Exporters
7. Energy Probe Research Foundation
8. HVAC Coalition
9. Low-Income Energy Network
10. Vulnerable Energy Consumers Coalition

The Board approves the requests for intervenor status and cost eligibility for each of the parties listed in 6 through 10 above. The List of Intervenor is attached as Appendix "A".

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.

THE BOARD ORDERS THAT:

1. A Settlement Conference will be convened at 9:00 a.m. on **August 14, 2013** with the objective of reaching a settlement among the parties on the issues. The Settlement Conference will be held in the Board's west hearing room at

2300 Yonge Street, 25th Floor, Toronto, and may continue if needed on **August 15, 21, 22 and August 27, 2013.**

2. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:45 p.m. on **August 29, 2013.** In the absence of a Settlement Proposal, Enbridge shall provide the Board with any recommendations regarding the next steps in the proceeding and indicate whether and to what extent such recommendations are agreed upon by each of the intervenors.

All filings to the Board must quote file number **EB-2013-0099**, be made electronically through the Board's web portal at www.pes.ontarioenergyboard.ca/eservice/, in searchable / unrestricted PDF format. Two paper copies must also be filed at the Board's address provided below. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address.

All filings shall use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca/OEB/Industry. If the web portal is not available, parties may email their documents to the address below.

Persons 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.

For all electronic correspondence and materials related to this proceeding, parties must include in their distribution lists the Case Manager, Colin Schuch at colin.schuch@ontarioenergyboard.ca and Senior Legal Counsel, Kristi Sebalj at kristi.sebalj@ontarioenergyboard.ca

All communications should be directed to the attention of the Board Secretary 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

Filings:
<https://www.pes.ontarioenergyboard.ca/eservice/>

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

DATED at Toronto June 26, 2013

ONTARIO ENERGY BOARD

Original signed by:

Kirsten Walli
Board Secretary

APPENDIX “A”

Enbridge Gas Distribution Inc.

EB-2013-0099

List of Intervenor

**Enbridge Gas Distribution Inc.
EB-2013-0099**

APPLICANT & LIST OF INTERVENORS

June-26-13

APPLICANT

Rep. and Address for Service

Enbridge Gas Distribution Inc. Norm Ryckman

Director, Regulatory Affairs
Enbridge Gas Distribution Inc.
500 Consumers Road
Toronto, ON M2J 1P8
Tel: 416-495-5499
Fax: 416-495-6072
norm.ryckman@enbridge.com

APPLICANT COUNSEL

David Stevens
Aird & Berlis LLP
BCE Place
181 Bay Street, Suite 1800
P. O. Box 754
Toronto ON M5J 2T9
Tel: 416-865-7783
Fax: 416-863-1515
dstevens@airdberlis.com

INTERVENORS

Rep. and Address for Service

**Canadian Manufacturers &
Exporters**

Paul Clipsham

Director of Policy, Ontario Division
Canadian Manufacturers & Exporters
6725 Airport Rd.
Suite 200
Mississauga ON L4V 1V2
Tel: 289-566-9538
Fax: 905-672-1764
paul.clipsham@cme-mec.ca

**Enbridge Gas Distribution Inc.
EB-2013-0099**

APPLICANT & LIST OF INTERVENORS

June-26-13

**Canadian Manufacturers &
Exporters**

Peter Thompson

Borden Ladner Gervais LLP
100 Queen Street
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-787-3528
Fax: 613-230-8842
pthompson@blg.com

Vincent DeRose

Borden Ladner Gervais LLP
100 Queen St.
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-787-3589
Fax: 613-230-8842
vderose@blg.com

Kim Dullet

Borden Ladner Gervais LLP
100 Queen Street
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-369-4792
Fax: 613-230-8842
kdullet@blg.com

**Direct Energy Marketing
Limited**

Karen Cooke

Direct Energy Marketing Limited
2225 Sheppard Avenue East
Atria III
Toronto ON M2J 5C2
Tel: 416-758-8986
Fax: 416-758-4272
karen.cooke@directenergy.com

**Enbridge Gas Distribution Inc.
EB-2013-0099**

APPLICANT & LIST OF INTERVENORS

June-26-13

EnerCare Inc.

John Toffoletto

Senior Vice President, General Counsel and Corp. S
EnerCare Inc.

4000 Victoria Park Ave.

Toronto ON M2H 3P4

Tel: 416-649-1862

Fax: 416-649-1964

jtoffoletto@enercare.ca

**Energy Probe Research
Foundation**

Roger Higgin

Sustainable Planning Associates Inc.

15 Malabar Place

Toronto ON M5B 1A4

Tel: 416-391-0738

Fax: Not Provided

spainc@rogers.com

David MacIntosh

Case Manager

Energy Probe Research Foundation

225 Brunswick Avenue

Toronto ON M5S 2M6

Tel: 416-964-9223 Ext: 235

Fax: 416-964-8239

DavidMacIntosh@nextcity.com

HVAC Coalition

Martin Luymes

Co-ordinator

HVAC Coalition

2800 Skymark Avenue

Building 1, Suite 201

Mississauga ON L4W 5A6

Tel: 905-602-4700 Ext: 235

Fax: 905-602-1197

mluymes@hrai.ca

**Enbridge Gas Distribution Inc.
EB-2013-0099**

APPLICANT & LIST OF INTERVENORS

June-26-13

HVAC Coalition

Jay Shepherd

Jay Shepherd Professional Corporation

2300 Yonge St. Suite 806

P.O. Box 2305

Toronto ON M4P 1E4

Tel: 416-483-3300

Fax: 416-483-3305

jay.shepherd@canadianenergylawyers.com

Just Energy Ontario L.P.

Nola Ruzycki

Vice President, Regulatory Affairs Canada

Just Energy Ontario L.P.

6345 Dixie Rd. Suite 200

Mississauga ON L5T 2E6

Tel: 403-462-4299

Fax: 905-564-6069

nruzycki@justenergy.com

Frances Murray

Manager

Just Energy Ontario L.P.

6345 Dixie Road

Suite 200

Mississauga ON L5T 2E6

Tel: 905-461-2360

Fax: 905-564-6069

fmurray@justenergy.com

Low-Income Energy Network

Judy Simon

Consultant

Judy Simon + Associates

89 Queens Quay West

Unit 81119

Toronto ON M5J 2V3

Tel: 416-876-1372

Fax: Not Provided

judysimon@jsimon.net

**Enbridge Gas Distribution Inc.
EB-2013-0099**

APPLICANT & LIST OF INTERVENORS

June-26-13

Low-Income Energy Network	Juli Abouchar Counsel Willms & Shier Environmental Lawyers LLP 4 King Street West Suite 900 Toronto ON M5H 1B6 Tel: 416-862-4836 Fax: 416-863-1938 jabouchar@willmsshier.com
	Matt Gardner Northwatch 4 King Street West, Suite 900 Toronto Ontario M5H 1B6 Tel: 416-862-4825 Fax: Not Provided mgardner@willmsshier.com
Union Gas Limited	Patrick McMahon Manager, Regulatory Research and Records Union Gas Limited 50 Keil Drive North P.O. Box 2001 Chatham ON N7M 5M1 Tel: 519-436-5325 Fax: 519-436-4641 pmcmahon@uniongas.com
Vista Credit Group	Jacob Polisuk President Vista Credit Group 6 Gurdwara Road Suite 205 Ottawa ON K2E 8A3 Tel: 613-321-7777 Ext: 28 Fax: 613-321-7775 jacob@vistacredit.ca

**Enbridge Gas Distribution Inc.
EB-2013-0099**

APPLICANT & LIST OF INTERVENORS

June-26-13

**Vulnerable Energy
Consumers Coalition**

Michael Janigan

Counsel
Public Interest Advocacy Centre
ONE Nicholas Street
Suite 1204
Ottawa ON K1N 7B7
Tel: 613-562-4002 Ext: 26
Fax: 613-562-0007
mjanigan@piac.ca

James Wightman

Consultant
Econalysis Consulting Services
34 King St. E.
Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0640
Fax: 416-348-0641
jwightman@econalysis.ca