



EB-2012-0451
EB-2012-0433
EB-2013-0074

IN THE MATTER OF an application by Enbridge Gas Distribution Inc. for: an order or orders granting leave to construct a natural gas pipeline and ancillary facilities in the Town of Milton, City of Markham, Town of Richmond Hill, City of Brampton, City of Toronto, City of Vaughan and the Region of Halton, the Region of Peel and the Region of York; and an order or orders approving the methodology to establish a rate for transportation services for TransCanada Pipelines Limited;

AND IN THE MATTER OF an application by Union Gas Limited for an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Parkway West site; an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Town of Milton; an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Brantford-Kirkwall/Parkway D Compressor Station project; an Order or Orders for pre-approval of the cost consequences of two long term short haul transportation contracts; and an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the City of Cambridge and City of Hamilton.

PROCEDURAL ORDER NO. 6
July 23, 2013

The Ontario Energy Board has received three related applications requesting approval for the Applicants to undertake system expansion projects: one filed by Enbridge Gas Distribution Inc. ("Enbridge") and two filed by Union Gas Limited ("Union").

A record of all procedural matters that have been dealt with up to this point in this combined proceeding is available on the Board's web site.

Enbridge GTA Project – Update

On Monday, July 22, 2013 Enbridge filed an update to its evidence in relation to Segment A of the GTA Project. Amongst other things, Segment A is now proposed to begin at the Parkway West Station as opposed to Bram West interconnect. From a procedural fairness standpoint, the Board deems it necessary to provide for a new period of public notice and has updated the schedule in Appendix A accordingly. The Board will continue to hear the applications on a combined basis.

Environmental Defence Motion

On July 8, 2013 Environmental Defence filed a motion with the Board requesting that Enbridge be ordered to place documents disclosing the cost of the segments of its project on the public record as opposed to being available on a confidential basis. Specifically, the Environmental Defence has requested the following evidence to be placed on the public record:

- 1) A response to Environmental Defence Interrogatory No. 37 (Exhibit I.A3.EGD.ED.37)
- 2) The response to Energy Probe Interrogatory No. 14 (Exhibit I.A3.EGD.EP.14); and,
- 3) Material filed confidentially by Enbridge that provides a breakdown of the costs of the component parts of its projects.

Environmental Defence seeks to have these documents on the public record so confidential information does not disrupt and delay the hearing and allows for an open, transparent and accessible proceeding. Environmental Defence also contends that Enbridge has not made a proper request for confidentiality in accordance with the Board's rules and that it has not established that confidential treatment is warranted.

On July 16, 2013 Enbridge filed a letter with the Board responding to the Environmental Defence motion. Enbridge noted that it had no objection to any party in the proceeding other than a potential supplier/service provider accessing the information on a confidential basis. Enbridge re-stated its concern regarding the impact of publically disclosing the costing information may have on its procurement process for the proposed GTA Project.

The Board will hear the Environmental Defence motion in writing. The Board requests that the Environmental Defence specifically identify the data points and costing information that it believes should be on the public record.

Confidentiality Request

Included within the Green Energy Coalition's ("GEC") evidence was confidential information that was based on previously filed and accepted confidential information from Enbridge regarding various costing elements of its proposed GTA Project.

The Board will accept that the information included in GEC's evidence was already granted confidential treatment earlier in the proceeding.

Proceeding Schedule

Given the recent update filed by Enbridge, the Board considers it necessary to update the proceeding's schedule. The Board has included a revised hearing schedule below as well as in Appendix A.

THE BOARD ORDERS THAT:

1. Environmental Defence shall file any additional documentation in support of its motion and serve it on all parties on or before **Thursday, July 25, 2013**.
2. Parties and Board Staff may file written submissions on Environmental Defence's motion with the Board and serve it on all parties on or before **Thursday, August 1, 2013**.

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3. Parties and Board Staff wishing to seek further information that is in addition to the updated evidence filed by Enbridge Gas Distribution Inc. shall request it by written interrogatories filed with the Board and served to all parties on or before **Friday, August 2, 2013**.
 4. Enbridge Gas Distribution Inc. shall file written responses to all interrogatories received from parties and Board Staff on or before **Wednesday, August 14, 2013**.
 5. A Settlement Conference will be held on **Monday, August 19, 2013** beginning at **9:30 a.m.** in the Board's North Hearing Room on the 25th Floor at 2300 Yonge Street, Toronto, ON and will continue as necessary.
 6. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:00 p.m. on **Friday, August 30, 2013**.
 7. A Pre-Hearing Conference will be held on **Thursday, September 5, 2013** beginning at **9:30 a.m.** in the Board's North Hearing Room on the 25th Floor at 2300 Yonge Street, Toronto, ON.
 8. An Oral Hearing will be held at the Board's offices located at 2300 Yonge Street, Toronto, ON on the 25th Floor in the **North Hearing Room** on **Thursday, September 12, 2013 at 8:30 a.m.** and continue as necessary. The Board will sit each day from 8:30 a.m. to 1:00 p.m.

All filings to the Board must quote the file number, EB-2012-0451/EB-2012-0433/EB-2013-0074, be made through the Board's web portal at <https://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. Parties must 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. 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 4:00 p.m. on the required date.

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
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, July 23, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX A

**ENBRIDGE GAS DISTRIBUTION INC.
EB-2012-0451**

**UNION GAS LIMITED
EB-2012-0433
EB-2013-0074**

Case Timetable

Enbridge Gas Distribution Inc. - GTA Project (EB-2012-0451)
Union Gas Limited - Parkway West (EB-2012-0433)
Union Gas Limited - Brantford-Kirkwall / Parkway D (EB-2013-0074)

Case Timetable
Date: July 23, 2013

	Event	Date
1.	Interrogatories filed	May 21
2.	Interrogatory responses	June 7
3.	Technical Conference	June 12
4.	Undertakings from Technical Conference filed	June 18
5.	Intervenor evidence	June 28
6.	Motion Record Supporting Evidence – Union Gas and Gaz Metro	July 3
7.	TCPL evidence	July 5
8.	Submissions on Union's confidentiality request	July 5
9.	Interrogatories on Intervenor evidence, excluding TCPL evidence	July 5
10.	Reply Submission on Union's confidentiality Request	July 9
11.	Response to Motion Record by all parties	July 9
12.	Oral Hearing on Motion	July 11
13.	Interrogatories on TCPL evidence	July 12
14.	Interrogatory responses on Intervenor evidence, including TCPL	July 19
15.	Motion Record Supporting Evidence – Environmental Defence	July 25
16.	Response to Environmental Defence Motion Record by all parties	August 1
17.	Interrogatories on EGD Evidence update by all parties	August 2
18.	Interrogatory responses by EGD on evidence update	August 14
19.	Settlement Conference	August 19
20.	Settlement Agreement filed	August 30
21.	Pre-Hearing Conference	September 5
22.	Oral Hearing	September 12