



EB-2013-0365

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, 2014.

PROCEDURAL ORDER NO. 1

Union Gas Limited ("Union") filed an application on October 31, 2013 with the Ontario Energy Board (the "Board") pursuant to section 36 of the *Ontario Energy Board Act*, 1998, S.O. c.15, Schedule B, for an order or orders approving rates for the distribution, transmission and storage of natural gas, effective January 1, 2014. The Board has assigned the application File Number EB-2013-0365.

Union was operating under an Incentive Ratemaking Mechanism ("IRM") for the period 2008-2012. Union's 2013 rates were based on a cost of service model. In July 2013, Union filed an application requesting approval of a multi-year IRM framework. The application included a comprehensive Settlement Agreement between Union and stakeholders (the "Settlement"). The Board accepted the Settlement as filed. Union's current application for 2014 rates is based on the framework agreed to in the Settlement.

The Board issued a Notice of Application and Hearing on November 22, 2013. The last date to apply for intervenor status was December 16, 2013. The following parties applied for intervenor status (* denotes a request for cost eligibility):

- Building Owners and Managers Association Toronto (“BOMA”)*
- Canadian Manufacturers and Exporters (“CME”)*
- City of Kitchener (“Kitchener”) *
- Consumers Council of Canada (“CCC”)*
- Enbridge Gas Distribution Inc. (“Enbridge”)
- Energy Probe Research Foundation (“Energy Probe”)*
- Federation of Rental-housing Providers of Ontario (“FRPO”)*
- Industrial Gas Users Association (“IGUA”)*
- London Property Management Association (“LPMA”)*
- Ontario Association of Physical Plant Administrators (“OAPPA”)*
- Ontario Power Authority (“OPA”)
- Ontario Greenhouse Vegetable Growers (“OGVG”)*
- Vulnerable Energy Consumers Coalition (“VECC”)*
- School Energy Coalition (“SEC”)*
- Association of Power Producers of Ontario (“APPrO”)*
- TransCanada Pipelines Limited (“TCPL”)
- TransCanada Energy Ltd. (“TCE”)
- Shell Energy North America (Canada) Inc. (“Shell Energy”)
- Six Nations Natural Gas Company Limited (“SNNG”)
- NOVA Chemicals Canada Ltd. (“NCCL”)
- Jason F. Stacey

No objections were received regarding the requests for intervenor status or cost eligibility.

The Board has determined that all parties who requested intervenor status will be granted intervenor status. The list of intervenors in this proceeding is attached as Appendix “A” to this procedural order.

The Board has also determined that BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OAPPA, OGVG, VECC, SEC, APPrO and Kitchener are each eligible to apply for an award of costs under the Board’s *Practice Direction on Cost Awards*.

Union requested that its proposed rates be approved on an interim basis effective January 1, 2014, if the Board was unable to issue a rate order by November 30, 2013 for implementation of rates effective January 1, 2014. The Board has considered the

request and has determined that it will not approve Union's proposed rates on an interim basis. The Board has not had the benefit of discovery on the issues in this proceeding or hearing submissions on this particular request. The Board will, however, declare Union's existing rates interim effective January 1, 2014. This determination is made without prejudice to the Board's ultimate decision on Union's application, and should not be construed as predictive, in any way whatsoever, of the Board's final determination with regards to the effective date of the final rate order.

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. Union's existing rates are declared interim effective January 1, 2014.
2. Board staff and intervenors who wish information and documentation from Union that is in addition to Union's evidence filed with the Board, and that is relevant to the proceeding, shall request it by written interrogatories filed with the Board and delivered to Union and all intervenors on or before **January 15, 2014**.
3. Union shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **January 30, 2014**.
4. Board staff and intervenors who wish to present evidence shall file that evidence with the Board and deliver it to the Applicant and all intervenors on or before **February 10, 2014**.
5. If any intervenor, Board staff or the Applicant requires additional information related to any intervenor evidence, and that is relevant to the proceeding, they shall request it by written interrogatories filed with the Board and delivered to Union and all intervenors on or before **February 19, 2014**.
6. Responses to the interrogatories on intervenor evidence shall be filed with the Board and delivered to Union and all intervenors on or before **March 6, 2014**.
7. A Settlement Conference will be convened on **March 17, 2014** at 9:30 a.m. with the objective of reaching a settlement among the parties on the issues. The

Settlement Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto and if necessary may continue until **March 19, 2014**.

8. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than **March 31, 2014**.

All filings to the Board must quote the file number, EB-2013-0365, 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 <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
Tel: 1-888-632-6273 (Toll free)
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DATED at Toronto December 20, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix 'A'

To

Procedural Order No. 1

Union Gas Limited

EB-2013-0365

Applicant and List of Intervenors

December 20, 2013

**Union Gas Limited
EB-2013-0365**

APPLICANT & LIST OF INTERVENORS

December 20, 2013

APPLICANT

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Rep. and Address for Service

**Union Gas Limited
EB-2013-0365**

APPLICANT & LIST OF INTERVENORS

December 20, 2013

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**Union Gas Limited
EB-2013-0365**

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December 20, 2013

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**Union Gas Limited
EB-2013-0365**

APPLICANT & LIST OF INTERVENORS

December 20, 2013

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APPLICANT & LIST OF INTERVENORS

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December 20, 2013

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**Union Gas Limited
EB-2013-0365**

APPLICANT & LIST OF INTERVENORS

December 20, 2013

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**Union Gas Limited
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December 20, 2013

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