



EB-2012-0459

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 or fixing rates for the sale, distribution, transmission and storage of gas commencing January 1, 2014.

PROCEDURAL ORDER NO. 4

January 2, 2014

Enbridge Gas Distribution Inc. ("Enbridge") filed an application dated July 3, 2013 with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act*, S.O. 1998 for an order or orders approving rates for a five year period commencing January 1, 2014. The Board has assigned file number EB-2012-0459 to the application. A record of all procedural matters in this proceeding is available on the Board's web site.

Request for Confidential Treatment of Certain Materials

Enbridge Materials

In a letter dated November 15, 2013 Enbridge requested the Board grant confidential treatment to certain materials filed in response to a preliminary Board staff information request (Board staff Interrogatory #1). The request was filed in accordance with the Board's Practice Direction on Confidential Filings.

Enbridge's request for confidentiality related to five (5) data files in Excel format listed below:

1. Output Index – Subgroups
2. Input Index_subgroup_calcs
3. Input Index_subgroup_calcs_PFP
4. Benchmarking Analysis
5. Master Company Matrix – Data Screens

The Board in its Interim Rate Order and Procedural Order No. 3 dated November 28, 2013 offered parties the opportunity to make submissions on whether the Board should grant the confidentiality request. No party made a submission. The Board accepts the materials filed by Enbridge as confidential and will afford them the appropriate treatment. The Board reminds parties to be aware of, and observe, its processes for the treatment of confidential information. These are outlined in the Ontario Energy Board's *Practice Direction on Confidential Filings* revised October 13, 2011, and available on the Board's website. In particular section 6 describes the protocol for parties' dealings with confidential materials in Board proceedings.

Board Staff Materials

In a letter dated December 11, 2013 Board staff requested that the Board grant confidential treatment to certain materials filed in response to Enbridge interrogatory 12a (Exhibit I.A1.STAFF.EGDI.12 part a). The request was filed in accordance with the Board's Practice Direction on Confidential Filings.

Board staff's request for confidentiality related to eight (8) computer files listed below:

1. pegtfwp.txt
2. kdata(confidential).xlsx
3. company map.xlsx
4. tfpdata(confidential).xls
5. bmcswp(confidential).xls
6. econometricwp.txt
7. CCA Report Tables.xlsx
8. jgca902m.xlsx

The eight (8) files are the working papers of Pacific Economics Group Research from Alberta Utilities Commission proceeding 566. They include the datasets for the gas TFP and econometric research, the code used to generate the results for the TFP and econometric research, and supporting materials. The supporting materials include a live version of the tables from PEG Research's direct testimony in Alberta, files containing additional data used in the TFP research, and a company map.

The Board will grant the Board staff request for confidentiality on an interim basis and offer parties an opportunity to file a submission on Board staff's claim for confidentiality. The Board will make a final determination after receipt of submissions.

Technical Conference

In preparation for the technical conference, the Board will require parties to file a description of the specific areas that they will be focussing on and an estimate of time required for each area of focus. This will allow a conference agenda to be developed. If parties wish to file specific questions in advance, they may do so.

Case Timetable

In view of the new and updated evidence filed by Enbridge and other parties in recent weeks, the Board will append two (2) additional days for the technical conference currently scheduled for January 16 and 17, 2014. The revised case timetable is attached as Appendix A. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Parties wishing to view the documents referred to in Board staff's confidentiality request shall do so upon executing the Board's Declaration and Undertaking.
2. Parties wishing to make a submission on whether the Board should grant the confidentiality request shall do so by **January 8, 2014**.

3. If Board staff wishes to file a response to the submissions on its claim for confidentiality, it shall file such response with the Board and serve it on all parties on or before **January 15, 2014**.
4. Parties intending to participate at the Technical Conference shall file their specific areas of focus, including a time estimate for each area of focus, no later than **January 13, 2014**. Parties wishing to file specific questions may do so no later than **January 13, 2014**.
5. The Technical Conference currently scheduled for **January 16, 2014** and **January 17, 2014** may continue on **January 20, 2014** and **January 21, 2014** if needed.

All filings to the Board must quote file number **EB-2012-0459**, 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 **January 2, 2014**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX “A”

Enbridge Gas Distribution Inc.

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Preliminary Case Timetable

Date: January 2, 2014

	Event	Date
1.	Notice	July 23
2.	Procedural Order No. 1	August 27
3.	Submissions on need for a Preliminary Issue	September 4
4.	Submissions on Experts Plan	September 9
5.	Responding submissions on need for a Preliminary Issue	September 11
6.	Decision on need for a Preliminary Issue & Procedural Order No. 2	October 2
7.	Letter – from Board staff re: PEG deliverables	October 4
8.	Parties notify Enbridge of topics of interest for Information Session	October 8
9.	information session (hosted by Enbridge)	October 11
10.	File PEG written assessment report	October 22
11.	Issues Conference	October 25
12.	Submissions on Contested Issues	October 29
13.	Reply Submissions on Contested Issues	October 31
14.	Procedural Order No. 3 (Final Issues List)	November 6
15.	Interrogatories filed (Enbridge & PEG)	November 13
16.	Interrogatory responses (Enbridge & PEG)	December 11

17.	Intervenor evidence	December 18
18.	Interrogatories on Intervenor evidence	December 23
19.	Interrogatory responses on Intervenor evidence	January 10
20.	Parties file areas of focus and time estimates for the Technical Conference	January 13
21.	Technical Conference	January 16,17, 20, 21
22.	Undertakings from Tech Conf filed	January 23
23.	Settlement Conference	January 27 – February 7
24.	File Settlement Proposal	February 14
25.	Oral Hearing (10 hearing days)	February 20-March 7