



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. 2**  
**February 13, 2014**

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.

The Board issued a Notice of Application and Hearing on November 22, 2013. In Procedural Order #1 issued on December 20, 2013, the Board made provision for intervenors to file evidence.

The Industrial Gas Users Association ("IGUA") filed evidence on February 10, 2014. In its evidence IGUA sought confidentiality under the Board's *Rules of Practice and Procedure on Confidential Filings* (the "Practice Direction") with respect to certain portions of its evidence that discussed volume and price information of specific companies.

IGUA has filed an un-redacted copy of its evidence and marked the portions of the document for which confidentiality is claimed. The redacted version of the evidence has been filed electronically with the Board and served on all parties of record. IGUA also indicated that it is prepared to disclose an un-redacted version of its evidence to those intervenors and Union representatives that file an executed Declaration and Undertaking pursuant to the Board's Practice Direction.

The Board has decided to designate as confidential, on an interim basis, the proposed confidential evidence. The Board will allow intervenors that wish to review the un-redacted evidence to do so after signing a copy of the Board's Declaration and Undertaking (which can be found in Appendix C of the Board's Practice Direction), filing it with the Board and serving it on IGUA.

Parties who object to IGUA's request seeking confidentiality on specific portions of its evidence, can file their submissions according to the schedule set out below. If the Board ultimately decides that the proposed confidential material should not be afforded confidential treatment, it will be placed on the public record unless IGUA makes a request under section 5.1.12 of the Practice Direction within five business days that the material be withdrawn and the Board grants IGUA's request.

On February 12, 2014, TransAlta Generation Partnership and TransAlta Cogeneration LP ("TransAlta") filed a late intervention request. The Board will accept the intervention request on the proviso that TransAlta accept the record as it stands and is prepared to meet the timelines set out in Procedural Order No. 1.

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. IGUA shall provide un-redacted versions of the proposed confidential evidence to all parties that have executed a Declaration and Undertaking pursuant to the Board's *Practice Direction on Confidential Filings*.
2. Parties who wish to make a submission on the confidentiality status of the evidence shall file such submissions with the Board and deliver it to all other parties on or before **February 18, 2014**.

3. If IGUA wishes to respond to any submissions on the confidentiality status of its evidence, it shall file such submissions with the Board and deliver them to all other parties no later than **February 21, 2014**.
4. Parties in receipt of the proposed confidential evidence shall, in accordance with the signed Declaration and Undertaking, either return the material to the Board and communicate to IGUA that they have done so, or destroy the material and execute a Certificate of Destruction, following the closing of the record to this proceeding. The Certificate must be filed with the Board and a copy sent to IGUA.
5. All other procedural steps and dates will be as per Procedural Order No. 1 issued by the Board on December 20, 2013.

All filings to the Board must quote the file number, EB-2013-0365, be made through the Board's web portal at [www.pes.ontarioenergyboard.ca/service/](http://www.pes.ontarioenergyboard.ca/service/), 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](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](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto February 13, 2014

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary