



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. 4
May 15, 2014

Union Gas Limited (“Union”) filed an Incentive Rate Mechanism (“IRM”) application on July 31, 2013 with the Ontario Energy Board seeking approval of a multi-year IRM framework for the period 2014-18. The Board approved the Settlement Agreement filed by Union that proposed a framework to set rates for a five year term.

Based on the approved framework, 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 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 interrogatories, for intervenors to file evidence and scheduled a settlement conference with the objective of reaching a settlement among the parties on the issues.

Union filed a Settlement Agreement and Draft Rate Order on April 24, 2014. Union and the parties reached a settlement on all issues with the exception of three issues:

1. Parkway Delivery Obligation;
2. Allocation of Kirkwall Metering Costs; and
3. Leamington Line Project.

Union also noted in its cover letter of April 24, 2014, that the unsettled issues do not impact 2014 rates. In Decision, Rate Order and Procedural Order No. 3 issued on May 12, 2014, the Board accepted the Settlement Agreement and issued a Rate Order for rates to be implemented June 1, 2014 and effective January 1, 2014.

In its Procedural Order, the Board granted Union further extension to file a settlement agreement on the Parkway Delivery Obligation issue. However, the Board also noted that it was prepared to hear the Parkway Delivery Obligation issue in case no agreement is reached. The Board also set out procedural dates for the unsettled issues including scheduling an oral hearing.

The Board understands that there are certain scheduling conflicts as a result of which the oral hearing scheduled for May 28, 2014, will need to be postponed.

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. Parties who wish to file evidence on the Leamington Line Project shall file such evidence with the Board and deliver it to all other parties on or before **May 27, 2014**.
2. An oral hearing will be held on **June 5, 2014** at 9:30 a.m. in the Board's West Hearing Room on the 25th floor at 2300 Yonge Street, Toronto, to address the unsettled issues in this proceeding.
3. Union shall present argument-in-chief on the unsettled issues orally on **June 5, 2014** or if necessary on **June 6, 2014**.
4. Parties who wish to file written arguments shall file it with the Board and serve it on all parties on or before **June 20, 2014**.

5. Union shall file its reply with the Board and serve it on all parties on or before **June 27, 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/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 <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)
Fax: 416-440-7656

DATED at Toronto May 15, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary