



**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. 5**

**June 6, 2014**

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

Based on the approved framework, Union filed this application on October 31, 2013 with 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.

Union filed a Settlement Agreement and Draft Rate Order on April 24, 2014 for rates effective January 1, 2014. This Settlement covered all issues with the exception of three issues:

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

The Board accepted the settlement by way of Decision, Rate Order and Procedural Order No. 3 issued on May 12, 2014.

Union filed a Settlement Agreement on the Parkway Delivery Obligation issue on June 3, 2014. At an oral hearing on June 5, Union presented the Parkway Delivery Obligation settlement and responded to questions by the Board. The Board also heard cross examination on the remaining two unsettled issues at the oral hearing.

At the oral hearing, Union indicated that it preferred to submit written argument-in-chief on the two unsettled issues rather than oral argument as indicated in Procedural Order No. 4. The Board accepted Union's request.

The Board will deliberate on Union's Parkway Delivery Obligation settlement and issue a decision in due course. 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 shall file its argument-in-chief on the unsettled issues with the Board and serve it on all other parties on or before **June 13, 2014**.
2. Other parties who wish to file written arguments shall file them with the Board and serve them on all parties on or before **June 24, 2014**.
3. Union shall file its reply with the Board and serve it on all other parties on or before **July 4, 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](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto June 6, 2014

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary