



**EB-2006-0144**

**IN THE MATTER OF** the *Ontario Energy Board Act 1998*, S.O.1998, c.15, (Schedule B);

**AND IN THE MATTER OF** an Application under section 36 of the Act by Enbridge Gas Distribution Inc. for approval of an accounting order to establish a deferral account to record the costs of defending itself against the Ontario Energy's Board's appeal to the Ontario Court of Appeal, any costs of appeal proceedings thereafter and/or any re-hearing costs with respect to Alliance Vector costs disallowed for recovery in the past by the Ontario Energy Board.

**AND IN THE MATTER OF** an Application under section 36 of the Act by Enbridge Gas Distribution Inc. for an Order or Orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas commencing January 1, 2006.

### **PROCEDURAL ORDER NO.1**

Enbridge Gas Distribution Inc. ("EGDI", or the "Applicant") filed an Application, dated June 13, 2006, with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act 1998*, S.O. 1998, c.15, (Schedule B) for approval to establish a deferral account to record all costs of defending itself against the Ontario Energy Board's appeal to the Ontario Court of Appeal, any costs of appeal proceedings thereafter and/or any re-hearing costs with respect to Alliance Vector costs disallowed for recovery in the past by the Ontario Energy Board. EGDI indicates that the balance of the principal and interest accounts will be disposed of in the future as determined by the Board.

The Board assigned file number EB-2006-0144 to the Application.

The Board is of the understanding that EGDI has forwarded copies of the Application to the parties in EB-2005-0001 proceeding.

On July 20, 2006, the Board issued a Notice of Written Proceeding regarding the Application. The Notice indicated that parties objecting to proceeding by way of written hearing were to file their submissions by July 28, 2006.

The Board did not receive any objections to proceeding by way of written hearing.

**THE BOARD ORDERS THAT:**

1. Parties who wish to make submissions regarding this Application shall do so in writing by no later than Wednesday, September 6, 2006.
2. EGDI may reply to the parties' submissions in writing by no later than Wednesday, September 13, 2006.
3. All parties shall file their submissions with the Board Secretary, 10 hard copies and one electronic copy in searchable PDF format at [boardsec@gov.on.ca](mailto:boardsec@gov.on.ca) , by 4:00pm on the date indicated, and copy all parties.

**ISSUED** at Toronto, August 25, 2006

ONTARIO ENERGY BOARD

*Original Signed By*

Peter H. O'Dell  
Assistant Board Secretary