



EB-2014-0291

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

AND IN THE MATTER OF a review of the capital
contribution costs paid by Integrated Grain Processors Co-
operative Inc. to Natural Resource Gas Limited pursuant to
Sections 19 and 36 of the Act.

AND IN THE MATTER OF a motion to review by Natural
Resource Gas Limited

PROCEDURAL ORDER NO. 1

December 4, 2014

In EB-2013-0081/EB-2012-0406, the Board made a determination on the total capital costs of the pipeline constructed by Natural Resource Gas Limited ("NRG") to serve the Integrated Grain Processors Co-operative Inc. ("IGPC") ethanol plant in Aylmer. In the same proceeding, the Board also made a determination that the Letter of Credit provided to NRG by IGPC be adjusted to correspond to the value of the pipeline in rate base. The Letter of Credit was not adjusted from its inception in 2008.

IGPC in its evidence¹ noted that it had to incur additional costs of approximately \$150,000 to maintain an unadjusted letter of credit for five years. The Board in its Decision awarded IGPC \$150,000 to cover the additional costs.

As a result of the Board's Decision on the matters in consideration, NRG had to submit revised calculations for some of the cost components. In its submission post the Board's Decision, NRG argued that IGPC did not provide any detailed breakdown of the \$150,000 in additional costs and the Board did not have the evidentiary basis to make a

¹ IGPC Pre-filed Evidence EB-2013-0081/EB-2012-0406, June 3, 2013, para. 152

determination on this issue². NRG therefore submitted that the Board should reverse its Decision on this matter in its entirety.

The Board in its Decision dated June 16, 2014, agreed with Board staff that revisiting the \$150,000 costs awarded to IGPC would amount to a substantive change that is not contemplated by Rule 43.01 of the Board's *Rules of Practice and Procedure*. The Board determined that the matter would proceed by way of a motion to review initiated by NRG and the panel assigned to the motion to review would advise the parties of the next steps in the proceeding.

The Board will accept all intervenors in the EB-2013-0081/EB-2012-0406 as intervenors of record in this proceeding. The Board will refer to the evidence filed in EB-2013-0081/EB-2012-0406 and invites parties to make submissions on this matter. The Board also reminds parties not to file or refer to any new evidence that was not on the evidentiary record in the EB-2013-0081/EB-2012-0406 proceeding.

The Board will make provision for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. NRG shall file its argument-in-chief with the Board and serve it on all parties on or before **Friday, December 15, 2014**.
2. Parties that wish to file written submissions shall file them with the Board and serve it on all other parties on or before **Wednesday, December 24, 2014**.
3. NRG shall file its reply with the Board and serve it on all parties on or before **Monday, January 12, 2015**.

All filings to the Board must quote the file number, EB-2014-0291 and be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice>, 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

² NRG Submission on Calculations EB-2013-0081/EB-2012-0406, March 19, 2014, pp. 6-7

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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Khalil Viraney at Khalil.Viraney@ontarioenergyboard.ca and Board Counsel, Michael Millar at Michael.Millar@ontarioenergyboard.ca

ADDRESS

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DATED at Toronto December 4, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary