

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF requested Board Directions for consolidation of the hearing before the Ontario Energy Board (the “Board”) of the NRG QRAM Phase II Proceeding in Board Matter EB-2014-0053 together with the hearing of the Union Penalty Rate Hearing (EB-2014-0154)

B E T W E E N:

NATURAL RESOURCE GAS LIMITED

Moving Party/Appellant

- and -

THE ONTARIO ENERGY BOARD and UNION GAS LIMITED

Respondents

NOTICE OF MOTION

Natural Resource Gas Limited (“NRG”) hereby makes a motion to the Ontario Energy Board (the “Board”) requesting, *inter alia*, certain directions regarding the process to be followed on the hearing of the NRG QRAM Hearing.

PROPOSED METHOD OF HEARING:

NRG requests that the motion be heard orally, subject to direction of the Board.

THE MOTION IS FOR:

1. A Direction that the oral or other hearing of the NRG QRAM Hearing be consolidated to be heard together with the Union Penalty Rate Hearing and further Direction as may be necessary.
2. Such further and other relief as this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE:

1. NRG has discovered new evidence, facts and expert opinions that were not available and could not have been previously placed in evidence in the hearing of this matter before the Board, and could not have been discovered by reasonable diligence up to the time the Board made its Decision and Order on October 9, 2014;
2. The new evidence, facts and expert opinions are cogent, relevant to the outcome of the Union Penalty Rate Hearing and the NRG QRAM Hearing, and could not have been discovered with more diligence up to the time that the new evidence was presented to the public on December 3 and 4, 2014;
3. The issues arising in the Union Penalty Rate Hearing and the NRG QRAM Hearing are sufficiently intertwined that the two matters should be consolidated and heard together in order that the Board secure the most just, expeditious and efficient determination of both matters on their merits pursuant to Rule 2.01 of the Rules.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

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