



**EB-2014-0273**

**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 for an order or orders clearing certain  
noncommodity related deferral accounts;

**PROCEDURAL ORDER NO. 1**

**February 11, 2015**

Union Gas Limited (Union) filed an application with the Ontario Energy Board (OEB) dated December 9, 2014 under section 36 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, (Schedule B) for an order or orders approving the final balances in certain 2013 Demand Side Management (DSM) Deferral and Variance Accounts. Union is also seeking the disposition of the balances in these accounts, and inclusion into rates, within the next available Quarterly Rate Adjustment Mechanism following the OEB's approval. On January 28, 2015, Union filed a revised application which corrected the Lost Revenue Adjustment Mechanism evidence and associated schedules.

The accounts which are the subject of the application and the balances recorded in each of the accounts are as follows:

DSM Incentive Deferral Account	\$7,784,000 (to shareholder)
Lost Revenue Adjustment Mechanism Variance Account	\$1,311,000 (to shareholder)
DSM Variance Account	\$1,198,000 (to shareholder)

The net balance of the DSM Accounts is \$10,293,000 to be collected from ratepayers.

Union has also applied to the OEB for such final and interim orders and/or accounting orders as may be necessary in relation to clearance of the accounts which are the subject of this application.

### **Intervenors**

The OEB issued a Notice of Application and Hearing on January 9, 2015. The following parties applied for intervenor status and cost eligibility:

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association, Greater Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- London Property Management Association (LPMA)
- Ontario Greenhouse Vegetable Growers (OGVG)

Each of APPrO, BOMA, CME, LPMA, and OGVG is granted intervenor status and is eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. The list of parties in this proceeding is attached as Appendix "A" to this Procedural Order.

### **Confidentiality**

Union filed redacted and confidential un-redacted versions of its application. Union requested that the the verification reports provided in Exhibit B, Tab 1, Appendix L, M, O and P be maintained in confidence pursuant to the OEB's *Practice Direction on Confidential Filings* (Practice Direction). Union stated that customer names and sensitive commercial information have been redacted from these reports.

I direct Union to provide confidential versions of the evidence to counsel and consultants for intervenors once they have signed the Declaration and Undertaking form from the Practice Direction. A process for the filing of written submissions on whether the information which is currently redacted should remain confidential or be made public is provided in the Order below.

I consider it necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

**IT IS THEREFORE ORDERED THAT:**

1. Any party, including OEB staff, may file a written submission on whether the information filed confidentially should remain confidential or be placed on the public record of this proceeding by **February 25, 2015**.
2. Union may file a written reply to any written submission from parties or OEB staff by **March 11, 2015**.
3. Intervenor and OEB staff may request from Union any relevant information and documentation that is in addition to the evidence already filed through written interrogatories filed with the OEB and served on all parties by **February 25, 2015**.
4. Union shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **March 11, 2015**.

All filings to the OEB must quote the file number, EB-2014-0273, and be made electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/> in searchable/unrestricted PDF format. Two paper copies must also be filed at the OEB's address provided below. 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Vince Mazzone at [Vince.Mazzone@ontarioenergyboard.ca](mailto:Vince.Mazzone@ontarioenergyboard.ca) and OEB Counsel, Michael Millar at [Michael.Millar@ontarioenergyboard.ca](mailto:Michael.Millar@ontarioenergyboard.ca).

**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, February 11, 2015

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original Signed By*

Kristi Sebalj  
Registrar

**APPENDIX A**

**APPLICANT AND LIST OF INTERVENORS**

**EB-2014-0273**

**UNION GAS LIMITED**

**DATED: February 11, 2015**

**Union Gas Limited  
EB-2014-0273**

**APPLICANT & LIST OF INTERVENORS**

February 11, 2015

**APPLICANT**

**Rep. and Address for Service**

**Union Gas Limited**

**Vanessa Innis**

Union Gas Limited  
Union Gas Limited, 50 Keil Drive North,  
Chatham, ON N7M 5M1

Tel: 516-436-5334  
Fax: Not Provided  
[vinnis@uniongas.com](mailto:vinnis@uniongas.com)

**APPLICANT COUNSEL**

**Alexander Smith**

Torys LLP

79 Wellington Street West

Suite 3000

Toronto Dominion Centre Box 270

Toronto ON M5K 1N2

Tel: 416-865-8142

Fax: 416-865-7380

[asmith@torys.com](mailto:asmith@torys.com)

**INTERVENORS**

**Rep. and Address for Service**

**Association of Power  
Producers of Ontario**

**David Butters**

President & CEO

Association of Power Producers of Ontario

25 Adelaide St. E.

Suite 1602

Toronto ON M5C 3A1

Tel: 416-322-6549 Ext: 231

Fax: 416-481-5785

[David.Butters@appro.org](mailto:David.Butters@appro.org)

**Union Gas Limited  
EB-2014-0273**

**APPLICANT & LIST OF INTERVENORS**

February 11, 2015

**Association of Power  
Producers of Ontario**

**Lisa DeMarco**

Counsel  
Zizzo Allan DeMarco LLP  
41-A Avenue Road  
Toronto ON M5R 2G3  
Tel: 647-991-1190  
Fax: 888-734-9459  
[Lisa@zizzoallan.com](mailto:Lisa@zizzoallan.com)

**Joanna Kyriazis**

Zizzo Allan DeMarco LLP  
41-A Avenue Road  
Toronto ON M5R 2G3  
Tel: 8883895798  
Fax: 8887349459  
[joanna@zizzoallan.com](mailto:joanna@zizzoallan.com)

**John Wolnik**

Elenchus Research Associates Inc.  
34 King Street East  
Toronto ON M5C 2X8  
Tel: 519-474-0844  
Fax: 416-348-9930  
[jwolnik@elenchus.ca](mailto:jwolnik@elenchus.ca)

**Building Owners and  
Managers Association  
Toronto**

**Thomas Brett**

Fogler, Rubinoff LLP  
77 King Street West  
Suite 3000  
Toronto ON M5K 1G8  
Tel: 416-941-8861  
Fax: 416-941-8852  
[tbrett@foglers.com](mailto:tbrett@foglers.com)

**Union Gas Limited**  
**EB-2014-0273**

**APPLICANT & LIST OF INTERVENORS**

February 11, 2015

**Building Owners and  
Managers Association  
Toronto**

**Marion Fraser**

President  
Fraser & Company  
33 Harbour Square  
Suite 502  
Toronto ON M5J 2G2  
Tel: 416-941-9729  
Fax: 416-941-8852  
[Marion.Fraser@rogers.com](mailto:Marion.Fraser@rogers.com)

**Canadian Manufacturers &  
Exporters**

**Paul Clipsham**

Director of Policy, Ontario Division  
Canadian Manufacturers & Exporters  
6725 Airport Rd.  
Suite 200  
Mississauga ON L4V 1V2  
Tel: 289-566-9538  
Fax: 905-672-1764  
[paul.clipsham@cme-mec.ca](mailto:paul.clipsham@cme-mec.ca)

**Peter Thompson, Q.C.**

Borden Ladner Gervais LLP  
100 Queen St.  
Suite 1300  
Ottawa ON K1P 1J9  
Tel: 613-787-3528  
Fax: 613-230-8842  
[pthompson@blg.com](mailto:pthompson@blg.com)

**Union Gas Limited  
EB-2014-0273**

**APPLICANT & LIST OF INTERVENORS**

February 11, 2015

**Canadian Manufacturers &  
Exporters**

**Vincent DeRose**

Borden Ladner Gervais LLP  
100 Queen St.  
Suite 1300  
Ottawa ON K1P 1J9  
Tel: 613-787-3589  
Fax: 613-230-8842  
[vderose@blg.com](mailto:vderose@blg.com)

**Emma Blanchard**

Borden Ladner Gervais LLP  
100 Queen Street  
Suite 1300  
Ottawa ON K1P 1J9  
Tel: 613-369-4755  
Fax: 613-230-8842  
[eblanchard@blg.com](mailto:eblanchard@blg.com)

**London Property  
Management Association**

**Randy Aiken**

Aiken & Associates  
578 McNaughton Ave. W.  
Chatham ON N7L 4J6  
Tel: 519-351-8624  
Fax: 519-351-4331  
[randy.aiken@sympatico.ca](mailto:randy.aiken@sympatico.ca)

**Union Gas Limited  
EB-2014-0273**

**APPLICANT & LIST OF INTERVENORS**

February 11, 2015

**Ontario Greenhouse  
Vegetable Growers**

**Michael Buonaguro**

Barrister and Solicitor  
The Energy Boutique  
24 Humber Trail  
Toronto ON M6S 4C1  
Tel: 416-767-1666  
Fax: 416-767-1666  
[mrb@mrb-law.com](mailto:mrb@mrb-law.com)

**Ontario Greenhouse  
Vegetable Growers**

**Justine Taylor**

Environmental Projects Specialist  
Ontario Greenhouse Vegetable Growers  
32 Seneca Road  
Leamington ON N8H 5H7  
Tel: 519-326-2604  
Fax: Not Provided  
[jtaylor@ontariogreenhouse.com](mailto:jtaylor@ontariogreenhouse.com)

**Dwayne Quinn**

Principal  
Dr Quinn & Associates Ltd.  
130 Muscovy Drive  
Elmira ON N3B 3P7  
Tel: 519-500-1022  
Fax: Not Provided  
[drquinn@rogers.com](mailto:drquinn@rogers.com)