



EB-2007-0599

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

AND IN THE MATTER OF an Application by Union Gas Limited, pursuant to section 36 of the *Ontario Energy Board Act*, 1998, for an order or orders approving the rate or rates charged to gas vendors for Invoice Vendor Adjustment fee as of June 1, 2007;

PROCEDURAL ORDER NO. 2

Union Gas Limited ("Union") filed an application on April 4, 2007 (the "Application") with the Ontario Energy Board ("Board") under section 36 of the *Ontario Energy Board Act*, 1998, S.O. c.15, Sched. B, for an order of the Board approving the rate or rates charged to gas vendors for Invoice Vendor Adjustments ("IVA"), effective June 1, 2007. Union's Application has been given Board File No. EB-2007-0599. An updated list of intervenors is attached as Appendix "A" to this order.

On April 19, 2007 the Board issued Notice of Written Hearing and Procedural Order No. 1, which set out amongst other things the case timetable. On May 3, 2007, Union filed a letter with the Board requesting that the settlement conference originally scheduled for May 11, 2007 be rescheduled to May 9, 2007. In its request Union indicates that based on its discussions with registered intervenors in the case, it believes that the parties can complete the technical conference and settlement conference on the same day.

The Board considers it appropriate to grant Union's request subject to the conditions noted below.

THE BOARD THEREFORE ORDERS THAT:

1. Intervenors and Board staff should file any questions with respect to the evidence, with the Board Secretary and Union by Friday, May 4, 2007.

2. A technical conference will be held on Wednesday, May 9, 2007 at 9:30 am in the Board's North Hearing Room, to provide Union with the opportunity to provide answers to questions and for all participants to obtain further clarification of the evidence.
3. If the technical conference concludes earlier on that day, and if there are no outstanding undertakings critical to the settlement process, then the parties may commence with the settlement conference on May 9, 2007. Only the technical conference will be transcribed and the transcript will form part of the record of this proceeding. This technical conference replaces the interrogatory process.
4. If Union is unable to provide a complete and satisfactory answer to questions raised at the technical conference, a participant may seek an undertaking from Union to provide a written response to such questions. Union shall file written responses with the Board and provide copies to all intervenors on or before Thursday, May 10, 2007. The Board will continue to hold May 11, 2007 as a reserve day for the settlement conference.
5. Any settlement proposal arising from the settlement conference shall indicate not only the matters settled, but a detailed evidentiary basis for the settlement and the reasons for the settlement. The settlement proposal shall be filed with the Board by Tuesday, May 15, 2007.
6. All filings with the Board noted in the Order must be in the form of 10 hard copies and must be received by the Board by 4:30 p.m. on the stated date. The Board requires all correspondence to be in electronic form as well as paper. Therefore, all parties must also e-mail an electronic copy of their filings in MS Word and searchable PDF format to the Board Secretary at Boardsec@oeb.gov.on.ca. Parties must also include the Case Manager, Rudra Mukherji Rudra.Mukherji@oeb.gov.on.ca on all electronic correspondence related to this case.

ISSUED at Toronto May 4, 2007

ONTARIO ENERGY BOARD

Original signed by

Peter H. O' Dell
Assistant Board Secretary