



EB-2015-0233

**Application for an exemption from section 2.2.2 of the  
Affiliate Relationships Code for Gas Utilities**

**PROCEDURAL ORDER No. 2**

Enbridge Gas Distribution Inc. (EGDI) filed an application with the Ontario Energy Board, received on August 6, 2015 under section 19 and 44 of the *Ontario Energy Board Act, 1998*, seeking an exemption from section 2.2.2 of the *Affiliate Relationships Code for Gas Utilities*. If granted, the exemption would enable EGDI to share Information Technology (IT) services on a consolidated basis with its corporate parent Enbridge Inc.

**Intervenors and Form of Hearing**

The OEB issued a Notice of Hearing on August 28, 2015.

The OEB also issued Procedural Order No. 1 on October 1, 2015 in which interventions and cost eligibility were granted and an order was made with respect to the steps in the proceeding.

Procedural Order No. 1 did not address EGDI's confidentiality request. I am therefore issuing further orders, which include a process for submissions related to EGDI's confidential filing and new dates for the processes outlined in Procedural Order No. 1.

**Confidentiality**

In support of its application, EGDI has also filed confidential reports by Gartner Consulting, titled "IT Cost Optimization Support" and Accenture, titled "ISS Market Relative Assessment" (collectively, Reports), accompanied by a letter requesting confidential treatment pursuant to Rule 10 of the OEB's *Practice Direction on Confidential Filings* (Practice Direction). In its letter, EGDI stated that the Reports contain commercially sensitive information, which includes the internal cost of Enbridge

Inc. providing certain IT services to its affiliates and the costs that a third party might charge to provide certain IT services. Accordingly, EGD requests that the OEB treat the Reports in confidence, in their entirety, pursuant to Rule 10 of the OEB's Practice Direction.

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

Parties are reminded to consult sections 26 and 27 of the Board's *Rules of Practice and Procedure* regarding required naming and numbering conventions and other matters related to interrogatories.

I consider it necessary to make provision for the following matters related to this proceeding. Provision is being made for written submissions following the filing of interrogatory responses, unless the OEB orders otherwise during the course of the proceeding. The OEB may issue further procedural orders from time to time.

**IT IS THEREFORE ORDERED THAT:**

1. The orders made in Procedural Order No. 1 issued on October 1, 2015 are hereby rescinded and are superseded by the orders made herein and the dates associated with such orders.
2. If OEB staff or any party objects to any of the requests for confidentiality made by EGD, such parties shall file their submissions by **October 26, 2015**.
3. EGD shall file with the OEB any reply submissions regarding objections to its confidentiality request by **November 2, 2015**.
4. OEB staff and intervenors shall request any relevant information and documentation from EGD that is in addition to EGD's evidence, and that is relevant to the hearing, by written interrogatories filed with the OEB and served on EGD by **November 30, 2015**.

5. EGDI shall file with the OEB complete written responses to all interrogatories and deliver them to all intervenors by **December 14, 2015**.
6. Unless the OEB orders otherwise, OEB staff and intervenors may file a written submission with the OEB, and deliver it to EGDI and all intervenors by **December 21, 2015**.
7. Unless the OEB orders otherwise, EGDI may file a written reply submission with the OEB, and deliver it to intervenors by **January 6, 2016**.

All filings to the OEB must quote the file number, EB-2015-0233, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. 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, Ronak Mozayyan at [Ronak.Mozayyan@ontarioenergyboard.ca](mailto:Ronak.Mozayyan@ontarioenergyboard.ca).

### **ADDRESS**

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**DATED** at Toronto, **October 14, 2015**

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original signed by*

Kristi Sebalj  
Registrar

