



EB-2016-0013

**Union Gas Limited**

**Application for leave to construct natural gas pipelines  
and ancillary facilities in the Municipality of Leamington**

**PROCEDURAL ORDER NO. 3**

**April 8, 2016**

Union Gas Limited (Union) filed an application with the Ontario Energy Board (the OEB) on January 14, 2016, in accordance with section 90 of the *Ontario Energy Board Act, 1998*, for leave to construct a natural gas pipeline and ancillary facilities to serve the growing greenhouse market in the Municipality of Leamington. The proposed expansion project consists of 6.7 km of NPS 12 natural gas pipeline, 250 metres of NPS 16 natural gas pipeline, 60 metres of NPS 8 natural gas pipeline and ancillary facilities.

The OEB issued Procedural Order No. 2 on April 4, 2016. In Procedural Order No. 2, the OEB scheduled an oral hearing and dates for filing submissions.

The OEB received a letter from Hydro One Networks Inc. (Hydro One) on April 7, 2016 requesting an adjournment of the April 12, 2016 oral hearing. Hydro One also requested leave to file written evidence and introduce a witness panel to provide evidence at the oral hearing. Hydro One noted that Union's responses to its interrogatories highlighted that the two parties are not in agreement regarding the facts in the Leamington Expansion Project proceeding. In its letter, Hydro One also provided a description of the evidence that it intends to file in the proceeding.

On April 8, 2016, Union filed a response to Hydro One's letter. Union stated that the oral hearing scheduled for April 12, 2016 should not be adjourned. Union stated that Hydro One should have asked for leave to file evidence much earlier in the proceeding. Union

also noted that the technical teams at both utilities are working towards a technical solution for the disputed issue.

Although the OEB agrees with Union that Hydro One's request for leave to file evidence could have been made earlier in the proceeding, the OEB finds that the record in this proceeding will benefit from allowing Hydro One to file evidence. Hydro One is expected to make a witness panel available for cross-examination on any evidence that it files. The OEB will also grant Union the opportunity to file responding evidence. The schedule for evidence filings is set out below.

The OEB will adjourn the oral hearing until April 19, 2016 to allow sufficient time for the filing of evidence. All parties will be granted an opportunity to cross-examine both Union's witnesses and Hydro One's witnesses on any evidence filed in the proceeding.

All parties are expected to coordinate cross-examination where possible and work with OEB staff to develop a hearing plan.

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

**THE OEB ORDERS THAT:**

1. Hydro One shall file its intervenor evidence with the OEB, and copy it to Union and all intervenors, by **April 12, 2016**. On the same day, Hydro One shall advise OEB staff and all other parties of the witness panel(s) that will be made available for the oral hearing.
2. If Union would like to file responding evidence, that evidence shall be filed with the OEB, and copied to all intervenors, by **April 15, 2016**. On the same day, Union shall advise OEB staff and all other parties of any updates to the witness panel(s) that will be made available for the oral hearing.
3. An oral hearing will be held on **April 19, 2016** beginning at 9:30 a.m. in the OEB's hearing room on the 25<sup>th</sup> floor at 2300 Yonge Street, Toronto, Ontario. The OEB does not expect that the hearing will require more than one day. At the conclusion of the cross-examination phase of the hearing, Union will be asked to provide its argument-in-chief.

4. All parties participating in the oral hearing must provide their time estimates (separated by witness panel) for cross-examination to OEB staff by **April 18, 2016** for use in developing the hearing plan.
5. OEB staff and intervenors who wish to file written submissions shall file those submissions with the OEB, and deliver the submissions to Union and all intervenors, by **May 3, 2016**.
6. If Union wishes to reply to the submissions of other parties, the response shall be filed with the OEB, and delivered to all intervenors, by **May 17, 2016**.

All filings to the Board must quote the file number, **EB-2016-0013** and be made electronically in searchable/unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. 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.

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, Lawrie Gluck at [Lawrie.Gluck@ontarioenergyboard.ca](mailto:Lawrie.Gluck@ontarioenergyboard.ca) and Board Counsel, Michael Millar at [Michael.Millar@ontarioenergyboard.ca](mailto:Michael.Millar@ontarioenergyboard.ca).

### **ADDRESS**

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**DATED** at Toronto, April 8, 2016

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

