



**EB-2016-0248**

**Industrial Gas Users Association**

**Motion to Review the Ontario Energy Board's  
Decision and Order on Cost Awards dated August  
9, 2016 (EB-2016-0122)**

**NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1**

**October 3, 2016**

On August 10, 2016, the Industrial Gas Users Association (IGUA) wrote to the Ontario Energy Board (OEB) to ask it to reconsider its August 9, 2016 Decision and Order on Cost Awards in which it disallowed a portion of the costs claimed by IGUA for participating as the only intervenor in Union Gas Limited's application for leave to construct the 2016 Sudbury Replacement Project (EB-2016-0122).

The OEB's only means of reviewing and amending a decision at the request of a party is through a motion to review under Rule 40 of the *Rules of Practice and Procedure*. The OEB will therefore treat IGUA's letter as a motion to review the cost award decision. Union Gas Limited and OEB staff are deemed to be parties to the motion.

Under Rule 43.01 of the *Rules of Practice and Procedure*, the OEB may determine, with or without a hearing, a threshold question of whether the matter should be reviewed before conducting any review on the merits. The OEB considers that in this case it would be expedient for parties to make submissions on both the threshold question and the ultimate merits of the motion at the same time. Any party wishing to make a submission must file it with the OEB on the dates listed below.

**THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. IGUA may file a written submission on both the threshold question and the merits, and deliver a copy of the submission to the other parties, by **October 11, 2016**.
2. Union Gas Limited and OEB staff may file a written submission on both the threshold question and the merits, and deliver a copy of the submission to the other parties, by **October 18, 2016**.
3. IGUA may file a written reply, and deliver a copy of the submission to the other parties, by **October 25, 2016**.

All filings to the OEB must quote the file number, **EB-2016-0248**, be made through the OEB's web portal at [www.pes.ontarioenergyboard.ca/eservice/](http://www.pes.ontarioenergyboard.ca/eservice/), and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. 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 [www.ontarioenergyboard.ca/OEB/Industry](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, Zora Crnojacki at [zora.crnojacki@ontarioenergyboard.ca](mailto:zora.crnojacki@ontarioenergyboard.ca) and OEB Counsel, Ian Richler at [ian.richler@ontarioenergyboard.ca](mailto:ian.richler@ontarioenergyboard.ca).

**ADDRESS**

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**DATED** at Toronto, October 3, 2016

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary