



EB-2016-0296  
EB-2016-0300  
EB-2016-0330

**Union Gas Limited  
Enbridge Gas Distribution Inc.  
Natural Resource Gas Limited**

**Applications for approval of the cost consequences  
of cap and trade compliance plans**

**PROCEDURAL ORDER NO. 3**

**April 28, 2017**

Union Gas Limited (Union), Enbridge Gas Distribution Inc. (Enbridge ) and Natural Resource Gas Limited (NRG) (collectively, the Gas Utilities) each filed an application with the Ontario Energy Board (OEB) on November 15, 2016 seeking approval of the cost consequences arising from each of their Cap and Trade Compliance Plans for the January 1 to December 31, 2017 time period. The Gas Utilities filed their applications in accordance with the OEB's *Report of the Board – Regulatory Framework for Assessment of Costs of Natural Gas Utilities' Cap and Trade Activities* (Cap and Trade Framework)<sup>1</sup>.

The OEB assigned the following file numbers to the applications: EB-2016-0296 (Union), EB-2016-0300 (Enbridge) and EB-2016-0330 (NRG).

**Proceeding Background**

On November 24, 2016 the OEB issued a Notice of Hearing (Notice) for a combined public hearing to consider the Union, Enbridge and NRG Cap and Trade Compliance Plan applications.

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<sup>1</sup> EB-2015-0363.

On November 26, 2016 the OEB issued an Interim Rate Order approving rates, on an interim basis, so that the Gas Utilities can begin to recover the projected costs associated with their Cap and Trade Compliance Plans until the OEB issues its final rate decision. The OEB's final rate decision will include any adjustments to the rates recovered on an interim basis pursuant to the Interim Rate Order.

On January 27, 2017 the OEB issued Procedural Order No. 1, which included a draft Issues List and an invitation for parties to provide comments.

On February 17, 2017 the OEB issued Procedural Order No. 2 and Decision on the Issues List. Procedural Order No. 2 also included the dates upon which parties were to file interrogatories; the applicants file responses to interrogatories and the oral hearing start date.

On April 18, 2017 the OEB commenced its oral hearing related to the Gas Utilities' public evidence. The public portion of the oral hearing concluded on Friday, April 21, 2017. The OEB subsequently held in camera sessions with each applicant related to the strictly confidential evidence. The oral hearing concluded on April 24, 2017.

### **Written Submissions**

As indicated during the oral hearing, the OEB will proceed with written submissions using two streams. The first stream will deal with evidence that forms part of the public record. The second stream will deal with the strictly confidential record. Parties wishing to make written submissions must do so consistent with the process outlined below.

The OEB may issue further procedural orders from time to time.

### **IT IS THEREFORE ORDERED THAT:**

With respect to the evidence that forms part of the public record:

1. Each of Union Gas Limited, Enbridge Gas Distribution Inc. and Natural Resources Gas Limited shall file written argument in-chief related to their respective public evidence. The evidence shall be filed with the OEB and delivered to all other parties on or before **Friday, May 5, 2017**.

2. Intervenors and OEB staff wishing to file written submissions related to the public evidence of the Gas Utilities' Compliance Plans shall file any submissions with the OEB and deliver them to all parties no later than **Friday, May 19, 2017**.
3. Each of the Gas Utilities may file written reply submissions related to the public evidence of the Compliance Plans with the OEB and deliver them on to all parties by **Friday, June 2, 2017**.

With respect to the evidence that forms part of the strictly confidential record:

4. Each of Union Gas Limited, Enbridge Gas Distribution Inc. and Natural Resources Gas Limited shall file written argument in-chief related to their respective strictly confidential evidence with the OEB on or before **Friday, May 12, 2017**.
5. OEB staff may file written submissions related to the strictly confidential evidence of each of the Gas Utilities' respective Compliance Plans on or before **Friday, May 26, 2017**. OEB staff shall deliver its written submissions to the OEB and the affected natural gas utility only.
6. Each of the Gas Utilities may file strictly confidential written reply submissions in with the OEB on or before **Friday, June 9, 2017**.

All filings to the OEB must quote the file numbers **EB-2016-0296 / EB-2016-0300 / EB-2016-0330**, 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.oeb.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, Josh Wasylyk at [Josh.Wasylyk@oeb.ca](mailto:Josh.Wasylyk@oeb.ca) and OEB Counsel, Ljuba Djurdjevic, at [Ljuba.djurdjevic@oeb.ca](mailto:Ljuba.djurdjevic@oeb.ca).

**ADDRESS**

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**DATED** at Toronto, **April 28, 2017**

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary