



**EB-2016-0351**

**Natural Resource Gas Limited**

**Application for approval to sell natural gas  
distribution system**

**PROCEDURAL ORDER NO. 3**

**May 26, 2017**

Natural Resource Gas Limited (Natural Resource Gas) filed an application with the Ontario Energy Board (OEB) on December 1, 2016 under section 43(1)(a) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval to sell its natural gas distribution system to EPCOR Natural Gas Limited Partnership (EPCOR Natural Gas). The application was amended on January 25, 2017.

A Notice of Hearing was issued on February 23, 2017. On March 29, 2017, Procedural Order No. 1 was issued approving Union Gas Limited, the Integrated Grain Processors Co-operative Inc (IGPC), EPCOR Natural Gas, and the Vulnerable Energy Consumers Coalition as intervenors. The OEB also made provision for submissions on the applicant's confidentiality requests and for interrogatories and interrogatory responses.

Interrogatories were filed by parties on April 25, 2017 and interrogatory responses were filed on May 12, 2017.

On May 3, 2017, Tribute Resources Inc./On-Energy Corp (Tribute) filed a letter requesting late intervenor status in this proceeding. On May 8, 2017, the OEB issued Procedural Order No. 2, making provision for submissions and reply submissions on Tribute's intervention request by Natural Resource Gas and Tribute, respectively.

In accordance with Procedural Order No. 2, Natural Resource Gas filed submissions opposing Tribute's intervention request. Natural Resource Gas submitted that this request fails to comply with the requirements set out in section 22 of the OEB's Rules of

Practice and Procedure (Rules), in terms of failing to describe the nature and scope of its intended participation, how it will be affected by the application, and the reasons why Tribute was unable to meet the deadline for intervention requests. Natural Resource Gas also submitted that Tribute does not have a substantial interest in the proceeding, noting that Tribute's stated interest is related to curtailment from production wells, which is irrelevant to the application and to the OEB's no harm test.

IGPC and EPCOR Natural Gas also made submissions on Tribute's intervention request. IGPC expressed concern that the accommodation of Tribute may cause delay and submitted that any participation should take the record as it stands (i.e. no opportunity to file interrogatories) at this evidentiary stage. EPCOR Natural Gas opposed Tribute's request, stating that the request does not comply with section 22.05 of the OEB's Rules as it has not filed and served a notice of motion, which includes the information required by section 22.03 of the Rules, and has not provided reasons for the late application. EPCOR Natural Gas also submitted that Tribute has not adequately described its interest in the proceeding and does not appear to have a substantial interest in the proceeding as required by section 22.02 of the Rules. EPCOR Natural Gas also submitted that granting late intervenor status to Tribute would be contrary to the Rules and would cause an undue and unfair delay in the Application process.

In its reply, Tribute noted that it was not notified of the proceeding although it had expressed an interest in the proceeding in February 2017 at which time it says it was told that the hearing was deferred until an amended application was filed. Tribute stated that one of its systems had been connected into the NRG system a number of years ago, that it has over 300 kilometres of pipeline connecting to a Union Gas transmission line, a significant portion of which are located in the NRG franchise area and that it has recently acquired the production wells of Hemlock Explorations which are connected to the NRG system. Tribute stated that it is providing this background to indicate that its participation would provide some useful background in this application, particularly relating to locally produced supply for this utility. Tribute requested the opportunity to participate, including the submission of relevant interrogatories.

The OEB has reviewed these submissions and has determined that it will approve Tribute's intervention request. However, given the extent of the interrogatories already posed and answered, Tribute is required to accept the record of the proceeding as it stands, and will not be permitted to file interrogatories.

The OEB makes provision for the following matters related to this proceeding.

**THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. Tribute Resources Inc./On-Energy Corp is approved as an intervenor in this proceeding.
2. The applicant shall file its Argument-in-chief with the OEB and serve it on all parties on or before **June 2, 2017**.
3. If OEB staff or intervenors wish to file a written submission, such submission shall be filed with the OEB and served on the applicant on or before **June 16, 2017**.
4. If the applicant wishes to file a written reply submission, it shall file its reply submission with the OEB and serve it on all parties on or before **June 30, 2017**.

All filings to the OEB must quote the file number, EB-2016-0351, 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/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, Judith Fernandes at [judith.fernandes@oeb.ca](mailto:judith.fernandes@oeb.ca), James Sidlofsky at [james.sidlofsky@oeb.ca](mailto:james.sidlofsky@oeb.ca) and Martine Band at [martine.band@oeb.ca](mailto:martine.band@oeb.ca).

**ADDRESS**

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**DATED** at Toronto, **May 26, 2017**

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**Schedule A**  
**List of Applicant and Intervenors**  
**Natural Resource Gas Limited**  
**EB-2016-0351**  
**May 26, 2017**

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EB-2016-0351**

**APPLICANT & LIST OF INTERVENORS**

May 26, 2017

**APPLICANT**

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**Natural Resource Gas Limited  
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**APPLICANT & LIST OF INTERVENORS**

May 26, 2017

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**INTERVENORS**

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Partnership**

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**APPLICANT & LIST OF INTERVENORS**

May 26, 2017

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Co-operative Inc.**

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