

Toronto

January 31, 2018

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**Sent By Electronic Mail and Overnight Courier and Filed Electronically on RESS**

Calgary

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street 27th Floor, P.O. Box 2319  
Toronto, ON M4P 1E4 ([boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca))

Ottawa

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Dear Ms. Walli:

**re Final Written Submissions (EB-2017-0108)**

On behalf of EPCOR Natural Gas Limited Partnership (“**EPCOR**”), we write further to the letter of Union Gas Limited (“**Union**”) dated January 30, 2018. As Union advised the Ontario Energy Board (“**OEB**”) in its letter, the parties have been unable to reach a settlement proposal to submit to the OEB. Also in its letter, Union “requests that the [OEB] provide Union an opportunity to update its application by February 16, 2018, given the information that has been clarified during settlement discussions and then establish dates for the filing of final written submissions on the outstanding issues identified in the updated application,” (emphasis added).

EPCOR is concerned with the above statement, particularly regarding Union’s request to use information garnered from the settlement discussions to “update its application.” The settlement discussions, and the information exchanged during these discussions, were confidential and without prejudice, pursuant to the OEB’s *Rules of Practice and Procedure*, particularly Rules 29.09 and 29.10.

EPCOR submits that the appropriate next step, which is consistent with Procedural Order No. 3, is for the OEB to establish dates for the filing of final written submissions.

If required, we would be happy to provide further submissions regarding the matters discussed in this letter. Please do not hesitate to contact me if you have any questions.

Yours very truly,



Patrick G. Welsh

c (email only): Azalyn Manzano/Ritchie Murray/Richard Lanni, *Ontario Energy Board*  
Britt Tan /Shawna Sicotte/Brian Lippold, *EPCOR Natural Gas Limited Partnership*  
Scott Lewis, *OM Limited Partnership*  
Patrick McMahon, *Union Gas Limited*  
Myriam Seers, *Torys LLP*