

May 10, 2018

**BY RESS, EMAIL AND COURIER**

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street  
27th Floor  
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited Application – Certificates of Public Convenience and Necessity for Norfolk County, County of Elgin and County of Middlesex  
OEB File No. EB-2017-0108**

We are counsel to Union Gas Limited in the above-noted matter. We refer to the “Letter of Comment of EPCOR Regarding OEB Staff ‘Options’” submitted by Patrick Welsh to the Board on May 9, 2018. Through that letter, EPCOR provides a reply to Board Staff’s submissions in this matter and a sur-reply to Union’s submissions.

It is inappropriate for EPCOR to circumvent the Board’s Procedural Order No. 5 by filing reply and sur-reply submissions under the guise of a “Letter of Comment”. Pursuant to that Procedural Order, EPCOR’s deadline to make submissions was April 12, 2018. EPCOR made detailed submissions on that date. Nothing in the Procedural Order gives EPCOR the right to make reply or sur-reply submissions. Indeed, the Procedural Order does not allow any further submissions from EPCOR after April 12, and grants Union the right of final reply. This is a common procedural sequence for written submissions in proceedings before the Board.

Given that the record of this proceeding was closed on April 26, 2018 with the filing of Union’s reply submissions, EPCOR’s letter should not form part of the record and its reply and sur-reply submissions should be disregarded.

Yours truly,

*[Original signed by]*

Myriam Seers

MS/lt  
Enclosure

cc (by email only): Azalyn Manzano, Ontario Energy Board  
Ritchie Murray, Ontario Energy Board  
Richard Lanni, Ontario Energy Board  
Shawna Sicotte, EPCOR Utilities Inc.  
Britt Tan, EPCOR Utilities Inc.  
Brian Lippold, EPCOR Utilities Inc.  
Patrick Welsh, Osler Hoskin & Harcourt LLP  
Scott Lewis, OM Limited Partnership

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