

July 26, 2018

EMAIL AND RESS

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: EB-2018-0013 – Union Gas Limited – Response to IGUA’s Request for Adjustment to Procedure for Final Submissions- Kingsville Transmission Reinforcement Project

We are counsel to Union in the above-noted matter.

The Ontario Energy Board (“the Board”) issued Procedural Order No. 3 on July 17, 2018 setting out the dates for the argument phase of the above-noted proceeding. IGUA’s letter of July 24, 2018 requests the Board consider an adjustment to the process for final submissions. More specifically, IGUA would prefer that Board Staff file its submissions first followed by the intervenors. An extension to the Board’s pre-determined timeline is contemplated in the request.

It is Union’s position that IGUA’s request, if accepted, not cause a delay in the Board’s timeline. Rather, Union submits Board Staff could file its submission earlier, intervenors could have a shortened reply window, or some alternate combination.

Regarding the issues raised by IGUA, it is not clear from the letter as to whether IGUA is attempting to expand the issues related to rates into the Argument phase even though the Board has excluded these issues from the scope of the proceeding. As per the Board’s February 27, 2018 letter:

The OEB has reviewed the application and has determined that the request for recovery of the Project’s net revenue requirement for 2019 to 2028 through the ICM is premature. Union Gas’ Rate Setting Mechanism application includes a proposal for approval of the parameters to calculate treatment of qualifying capital investments through an ICM and the appropriate means for seeking approval from the OEB to adjust rates. In addition, the OEB notes that without an understanding of Union Gas’ capital plans, the OEB will not be able to determine if the ICM materiality threshold has been exceeded. Accordingly, the OEB will not hear Union Gas’ proposal to recover the costs associated with the Project through the ICM at this time.

Although Union disagrees with the rate-related issues raised by IGUA, it has not responded given the Board's scope determination noted above. Union wishes to reaffirm the Board's earlier ruling and that the submissions made should be within the scope of the proceeding.

Yours truly,

[original signed by]

Myriam Seers

MS/tm

cc: Mark Kitchen, Union
Karen Hockin, Union
Charles Keizer, Torys
EB-2018-0013 Intervenors

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