



IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15, Schedule B;

AND IN THE MATTER OF an application by Enbridge Gas
Distribution Inc., Union Gas Limited and EPCOR Natural Gas
Limited Partnership for approval of the forecast costs arising
from their Cap and Trade Compliance Plans for the January 1
- December 31, 2017 time period;

AND IN THE MATTER OF a motion by the Building Owners
and Managers Association pursuant to Rule 42 of the Ontario
Energy Board's *Rules of Practice and Procedure* for an order
or orders to vary the Decision and Order on Cost Awards EB-
2016-0296/0300/0330.

NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1

October 25, 2018

On April 17, 2018, the Building Owners and Managers Association (BOMA) filed a Notice of Motion to review and vary the Decision and Order on Cost Awards in relation to the 2017 Cap and Trade Compliance Plan applications of Enbridge Gas Distribution Inc., Union Gas Limited and EPCOR Natural Gas Limited Partnership (collectively the Gas Utilities)¹. BOMA argued that the OEB's decision contains errors of fact and that the reduction of seventy five percent (75%) of its cost claim is unreasonable. BOMA proposed that the motion be heard orally. The OEB has assigned this motion file number EB-2018-0164.

Under Rule 43.01 of the OEB's *Rules of Practice and Procedure*, the OEB may determine, with or without a hearing, a threshold question of whether the matter should

¹ EB-2016-0296/0300/0330

be reviewed before conducting any review on the merits of the motion. The OEB has determined that it will consider both the threshold question and the merits of the motion at this time. The OEB has also determined it will hear the motion in writing.

The OEB considers it necessary to make provisions for the following procedural matters related to the motion.

IT IS THEREFORE ORDERED THAT:

1. BOMA may file additional material in support of its motion relating to the threshold question and merits of the motion by **November 15, 2018**. The material shall be filed with the OEB and copied to all parties of the record in EB-2016-0296/0300/0330 proceeding.
2. Gas Utilities and OEB staff may file a written submission on the threshold question and merits of the motion by **November 29, 2018**. The submission shall be filed with the OEB and copied to all parties of the record in EB-2016-0296/0300/0330 proceeding.
3. BOMA may file a written reply submission by **December 13, 2018**. The reply submission shall be filed with the OEB and copied to all parties of the record in EB-2016-0296/0300/0330 proceeding.

All filings to the OEB must quote the file number, **EB-2018-0164**, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://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 Registrar 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, Laurie Klein at Laurie.Klein@oeb.ca and OEB Counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@oeb.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Registrar

E-mail: boardsec@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **25 October 2018**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary