

EB-2018-0300 EB-2018-0301

Union Gas Limited (now operating as Enbridge Gas Inc.)

Application to dispose of balances in certain deferral and variance accounts related to the delivery of conservation programs in 2016

- and -

Enbridge Gas Distribution Inc. (now operating as Enbridge Gas Inc.)

Application to dispose of balances in certain deferral and variance accounts related to the delivery of conservation programs in 2016

PROCEDURAL ORDER NO. 1 on Combined Hearing January 21, 2019

On November 30, 2018, the Ontario Energy Board (OEB) received an application from Union Gas Limited (now operating as Enbridge Gas Inc.) (Union Gas) for the clearance of 2016 balances in certain Demand Side Management deferral and variance accounts. The OEB assigned file no. EB-2018-0300 to the application. On December 10, 2018, the OEB received an application from Enbridge Gas Distribution Inc. (now operating as Enbridge Gas Inc.) (Enbridge Gas) for the clearance of 2016 balances in certain Demand Side Management deferral and variance accounts. The OEB assigned file no. EB-2018-0301 to the application.

Pursuant to section 21(5) of the OEB Act, the OEB decided that the applications will be heard together as a combined hearing. A Notice of Combined Hearing was issued on December 21, 2018. Each of Building Owners and Managers Association, Greater Toronto (BOMA), Canadian Manufacturers and Exporters (CME), Green Energy Coalition (GEC), Industrial Gas Users Association (IGUA), London Property Managers Association (LPMA), Ontario Sustainable Energy Association (OSEA) and Schools Energy Coalition (SEC) applied for intervenor status and cost eligibility.

No objection was received from either Enbridge Gas or Union Gas.

Each of BOMA, CME, GEC, IGUA, LPMA, OSEA and SEC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. Each of BOMA, CME, GEC, IGUA, LPMA, OSEA and SEC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

IT IS THEREFORE ORDERED THAT:

- OEB staff and intervenors requesting information or material from Enbridge Gas or from Union Gas that is in addition to the evidence filed by each and is relevant to the hearing shall file written interrogatories with the OEB and deliver them to Enbridge Gas and Union Gas and all intervenors by February 4, 2019.
- Each of Enbridge Gas and Union Gas shall file its responses to the interrogatories directed to it with the OEB and shall deliver those responses to all parties by February 19, 2019.
- 3. Unless the OEB orders otherwise, each of Enbridge Gas and Union Gas may file their argument-in-chief with the OEB and deliver it to all parties by **February 27, 2019**.
- 4. Unless the OEB orders otherwise, OEB staff and intervenors that wish to make written submissions shall file those written submissions with the OEB and deliver them to Enbridge Gas and Union Gas and all intervenors by **March 5**, **2019**.
- 5. Unless the OEB orders otherwise, each of Enbridge Gas and Union Gas shall file its written response to the written submissions directed to it with the OEB and deliver the response to all parties by **March 19, 2019**.

All filings to the OEB must quote the file number, EB-2018-0300 / EB-2018-0301, and be made electronically through the OEB's web portal at

https://pes.ontarioenergyboard.ca/eservice/, in searchable / unrestricted PDF format. 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 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, Josh Wasylyk at Josh.Wasylyk@oeb.ca.

<u>ADDRESS</u>

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

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

Fax: 416-440-7656

DATED at Toronto, January 21, 2019

ONTARIO ENERGY BOARD

By delegation, before: Rudra Mukherji

Original signed by

Rudra Mukherji Associate Registrar

APPENDIX A

APPLICANT AND LIST OF INTERVENORS

Combined Hearing

EB-2018-0300

UNION GAS LIMITED

EB-2018-0301

ENBRIDGE GAS DISTRIBUTION INC.

DATED: January 21, 2019

APPLICANT & LIST OF INTERVENORS

January 21, 2019

APPLICANT Rep. and Address for Service

Enbridge Gas Inc. Operating as Union Gas

Adam Stiers

Manager

Enbridge Gas Inc. Operating as Union Gas

50 Keil Drive North P.O. Box 2001

Chatham, ON N7M 5M1

Tel: 519-436-4600 Fax: 519-350-5196 astiers@uniongas.com

APPLICANT COUNSEL

Miriam Seers

Torys LLP

79 Wellington St. W.

Suite 3000, Maritime Life Tower

P.O. Box 270, Toronto Dominion Centre

Toronto ON M5K 1N2

Tel: 416-865-7535 Fax: 416-865-7380 mseers@torys.com

Enbridge Gas Inc. Operating as Enbridge Gas Distribution

Kevin Culbert

Manager

Enbridge Gas Inc. Operating as Enbridge Gas

Distribution

500 Consumers Road Toronto, ON M2J 1P8

Tel: 416-495-5499 Fax: 416-495-6072

EGDRegulatoryProceedings@enbridge.com

APPLICANT & LIST OF INTERVENORS

January 21, 2019

APPLICANT COUNSEL

Dennis O'Leary Aird & Berlis LLP 181 Bay Street Suite 1800 Box 754

Toronto ON M4J 2T9 Tel: 416-865-4711

Fax: 416-863-1515 doleary@airdberlis.com

INTERVENORS

Rep. and Address for Service

Building Owners and Managers Association Toronto

Thomas Brett

Partner

Fogler, Rubinoff LLP 77 King Street West

Suite 3000

Toronto ON M5K 1G8

Tel: 416-941-8861 Fax: 416-941-8852 tbrett@foglers.com

Marion Fraser

President

Fraser & Company

65 Harbour Square, Suite 1005

Toronto ON M5J 2L4

Tel: 416-941-9729 Fax: 416-941-9729

Marion.Fraser@rogers.com

APPLICANT & LIST OF INTERVENORS

January 21, 2019

Canadian Manufacturers & Exporters

Alex Greco

Director, Manufacturing Policy Canadian Manufacturers & Exporters 55 Standish Court Suite 620

Mississauga ON L5R 4B2 Tel: 647-455-2197

Fax: 905-672-1764 alex.greco@cme-mec.ca

Emma Blanchard

Borden Ladner Gervais LLP 100 Queen Street Suite 1300 Ottawa ON K1P 1J9

Tel: 613-369-4755 Fax: 613-230-8842 eblanchard@blg.com

Scott Pollock

Borden Ladner Gervais LLP World Exchange Plaza 100 Queen Street Suite 1300 Ottawa ON K1P 1J9

Tel: 613-787-3541 Fax: 613-230-8842 spollock@blg.com

Green Energy Coalition

David Poch

Barrister

Green Energy Coalition 1649 Old Brooke Road Maberly ON K0H 2B0

Tel: 613-264-0055 Fax: 613-264-2878 dpoch@eelaw.ca

APPLICANT & LIST OF INTERVENORS

January 21, 2019

Green Energy Coalition

Kai Millyard

Green Energy Coalition

72 Regal Road

Toronto ON M6H 2K1

Tel: 416-651-7141 Fax: 416-651-4659

kai@web.net

Chris Neme

Energy Futures Group

P.O. Box 587

Hinesburg VT 05461 Tel: 802-482-5001 Ext: 1

Fax: 802-329-2143

cneme@energyfuturesgroup.com

Industrial Energy Engineering Group

Shahrzad Rahbar

President

Industrial Gas Users Association

260 Centrum Boulevard

Suite 202

Orleans ON K1E 3P4

Tel: 613-236-8021 Fax: 613-230-9531 <u>srahbar@igua.ca</u>

Industrial Gas Users Association

Ian Mondrow

Gowling WLG

1 First Canadian Place 100 King S. W. Suite 1600 Toronto ON M5X 1G5

Tel: 416-369-4670 Fax: 416-862-7661

ian.mondrow@gowlingwlg.com

APPLICANT & LIST OF INTERVENORS

January 21, 2019

London Property Management Association

Randy Aiken

Aiken & Associates 578 McNaugton Ave. W. Chatham ON N7L 4J6 Tel: 519-351-8624

Fax: 519-351-4331

randy.aiken@sympatico.ca

Ontario Sustainable Energy Association

Matthew Gardner

Willms & Shier Environmental Lawyers LLP

1 Toronto Street Suite 900

Toronto ON M5C 2V6

Tel: 416-862-4825 Fax: 416-863-1938

mgardner@willmsshier.com

Robert Woon

Willms & Shier Environmental Lawyers LLP

1 Toronto Street

Suite 900

Toronto ON M5C 2V6

Tel: 416-642-4871 Fax: 416-863-1938 rwoon@willmsshier.com

Marion Fraser

President

Fraser & Company

65 Harbour Square, Suite 1005

Toronto ON M5J 2L4

Tel: 416-941-9729 Fax: 416-941-9729

-ax. 410-941-9729

Marion.Fraser@rogers.com

APPLICANT & LIST OF INTERVENORS

January 21, 2019

School Energy Coalition

Wayne McNally

SEC Coordinator

Ontario Public School Boards' Association

439 University Avenue

18th Floor

Toronto ON M5G 1Y8

Tel: 416-340-2540 Fax: 416-340-7571 wmcnally@opsba.org

Mark Rubenstein

Counsel

Shepherd Rubenstein Professional Corporation

2200 Yonge St.

Suite 1302

Toronto ON M4S 2C6

Tel: 647-483-0113 Fax: 416-483-3305

mark@shepherdrubenstein.com

Jay Shepherd

Counsel

Shepherd Rubenstein Professional Corporation

2200 Yonge St.

Suite 1302

Toronto ON M4S 2C6

Tel: 416-804-2767 Fax: 416-483-3305

jay@shepherdrubenstein.com