

EB-2019-0183

Enbridge Gas Inc.

**Application to construct a natural gas pipeline and associated facilities in the Municipality of West Grey and the Township of Chatsworth, both in the County of Grey
and
application for a new firm transportation service under Rate M17 for gas distributors and to modify the applicability of existing Rate M9 and Rate T3 rate schedules effective December 1, 2019.**

PROCEDURAL ORDER NO. 1

November 1, 2019

On August 29, 2019 Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) pursuant to section 36, 90(1) and 97 of the *Ontario Energy Board Act 1998, S.O. 1998, c.15 (Schedule B)* (OEB Act), for the following:

- Approval of a new M17 firm transportation service for gas distributors effective December 1, 2019, and to modify the applicability of the existing Rate M9 and Rate T3 rate schedules for existing gas distributors that receive a bundled delivery service (Rate M9) or a semi-bundled storage and transportation service (Rate T3).
- Leave to construct approximately 34 kilometres of 12 inch diameter natural gas transmission pipeline and associated facilities in the Municipality of West Grey and the Township of Chatsworth, both in the County of Grey (Owen Sound Reinforcement Project).
- Approval of the forms of easement agreements related to the construction of the proposed pipeline.

The OEB issued a Notice of Application and Hearing on October 1, 2019 (Notice). The last date for intervention was October 21, 2019.

Intervenors and Cost Awards

The City of Kitchener, EPCOR Natural Gas Limited Partnership (ENGLP), Energy Probe Research Foundation (Energy Probe), Industrial Gas Users Association (IGUA), School Energy Coalition (SEC), Six Nations Natural Gas Company Limited (SNNG) and TransCanada PipeLines Limited (TransCanada) applied for intervenor status. Energy Probe, IGUA and SEC also applied for eligibility to apply for cost awards pursuant to the OEB's *Practice Direction on Cost Awards*.

All parties that applied for intervenor status are approved as intervenors. In addition, Energy Probe, SEC and IGUA are eligible to apply for an award of costs pursuant to the OEB's *Practice Direction on Cost Awards*.

The list of intervenors is attached as Schedule A to the procedural order.

Cost claims in EB-2018-0244

On August 30, 2018, Union Gas Limited (now Enbridge Gas Inc.) filed an application with the OEB for approval of a new Rate M17 firm transportation service for gas distributors effective January 1, 2019. The City of Kitchener, EPCOR Natural Gas Limited Partnership (ENGLP), Federation of Rental-housing Providers of Ontario (FRPO), Industrial Gas Users Association (IGUA), School Energy Coalition (SEC), Six Nations Natural Gas Company Limited (SNNG) and TransCanada PipeLines Limited (TransCanada) were approved as intervenors. In addition, SEC, IGUA and FRPO were eligible to apply for cost awards.

On February 13, 2019, Enbridge Gas filed a letter with the OEB requesting approval to withdraw the Rate M17 application and noted its intention to file a combined application that included its application for leave to construct the Owen Sound Reinforcement Project. By letter dated August 1, 2019, the OEB accepted Enbridge Gas' request and stated, "The OEB has determined that it will accept the withdrawal of Enbridge Gas' M17 Rate application without any conditions attached. However, the OEB notes that Enbridge Gas has committed to filing an amended Rate M17 application along with the Owen Sound reinforcement leave to construct application...." On the matter of filing of cost claims, the OEB stated, "... The OEB will consider the cost claims of intervenors who were found eligible for costs in the M17 rates proceeding (EB-2018-0244) in the upcoming Owen Sound line leave to construct and M17 rates application."

The OEB will consider cost awards related to the Rate M17 application at the conclusion of this proceeding. SEC, IGUA and FRPO were eligible to apply for cost awards in the Rate M17 application. SEC and IGUA have intervened in this proceeding while FRPO has not. FRPO is advised to monitor this proceeding and should file its cost claims based on the schedule to be determined by the OEB at the conclusion of this proceeding. SEC and IGUA shall file their cost claims in relation to the Rate M17 application together with their cost claims in this application.

Cost eligible intervenors should also 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. The OEB also expects that intervenors will combine their interventions with those of similarly interested parties, will co-operate with all other parties to the extent possible and will be mindful to avoid duplication.

Evidence in EB-2018-0244

The OEB will adopt into the record of this proceeding, all evidence in EB-2018-0244.

Oral versus Written Hearing

No party requested an oral or written hearing. However, ENGLP, IGUA and SEC stated that it would be premature to make a determination on the type of hearing until written discovery is completed and any settlement is reached. The OEB will make its determination on the type of the hearing at a later date.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. The evidence in EB-2018-0244 is adopted into the record of this proceeding.
2. OEB staff and intervenors that require information and material from Enbridge Gas that is in addition to Enbridge Gas' evidence in this proceeding, shall request it by written interrogatories filed with the OEB and delivered to Enbridge Gas and all intervenors by **November 14, 2019**.
3. Enbridge Gas shall file with the OEB complete responses to all interrogatories and deliver them to the intervenors and OEB staff by **November 28, 2019**.

All materials filed with the OEB must quote the file number, **EB-2019-0183**, be made in a searchable/unrestricted PDF format and sent 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 email address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/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 USB memory stick in PDF format, along with two paper copies. Those who do not have computer access are required to file seven 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, Zora Crnojacki at Zora.Crnjacki@oeb.ca and Board Counsel, Michael Millar at Michael.Millar@oeb.ca.

ADDRESS

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Tel: 1-888-632-6273 (Toll
free) Fax: 416-440-7656

DATED at Toronto, November 1, 2019

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar and Board Secretary
Office of the Registrar

Schedule A

Procedural Order No. 1

Enbridge Gas Inc.

EB-2019-0183

Applicant and List of Intervenors

November 1, 2019

**Enbridge Gas Inc.
EB-2019-0183**

APPLICANT & LIST OF INTERVENORS

November 01, 2019

APPLICANT

Rep. and Address for Service

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APPLICANT & LIST OF INTERVENORS

November 01, 2019

INTERVENORS

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EB-2019-0183**

APPLICANT & LIST OF INTERVENORS

November 01, 2019

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Association**

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APPLICANT & LIST OF INTERVENORS

November 01, 2019

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November 01, 2019

**Six Nations Natural Gas
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