

Industrial Gas Users Association

**Motion to Review and Vary Decision and Order dated
May 14, 2020 (EB-2019-0194)**

**NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1
June 17, 2020**

On May 14, 2020, the Ontario Energy Board (OEB) issued a Decision and Order in respect of the application by Enbridge Gas Inc. (Enbridge Gas) for 2020 rates (EB-2019-0194). On June 3, 2020, an intervenor in that proceeding, the Industrial Gas Users Association (IGUA), filed a motion pursuant to Rule 40.01 of the OEB's *Rules of Practice and Procedure* asking the OEB to review and vary that part of the Decision and Order which deferred the reallocation of Panhandle System costs until Enbridge Gas's next rebasing in 2024. IGUA requested a written hearing to address the motion.

The OEB will adopt as intervenors in this proceeding the intervenors from the EB-2019-0194 proceeding. A list of the parties of record in that proceeding is attached as Schedule A to this procedural order. Any party that was determined to be eligible for costs in the EB-2019-0194 proceeding will be eligible for costs in this proceeding.

Under Rule 43.01 of the *Rules of Practice and Procedure*, the OEB may determine, with or without a hearing, a threshold question of whether the matter should be reviewed before conducting any review on the merits.

The OEB has decided to consider the threshold question for the motion at the same time it will hear submissions on the merits. The OEB therefore invites parties to make written submissions on both the threshold issue (having regard to the *Rules of Practice and Procedure* and the OEB's previous decisions on the threshold test) and the ultimate merits of the motion.

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

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. IGUA may file any further submissions related to the motion by **June 30, 2020**. The materials shall be filed with the OEB and served on all parties identified in Schedule A to this procedural order.
2. OEB staff, Enbridge Gas and intervenors may file a submission by **July 17, 2020**. The submission shall be filed with the OEB and copied to all parties in the proceeding.
3. IGUA may file a reply by **July 31, 2020**. The reply shall be filed with the OEB and copied to all parties in the proceeding.

All materials filed with the OEB must quote the file number, **EB-2020-0156**, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. 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.

NOTE: The OEB is temporarily waiving the paper copy filing requirement until further notice. 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, Khalil Viraney, at Khalil.Viraney@oeb.ca and OEB Counsel, Ian Richler, at Ian.Richler@oeb.ca.

ADDRESS

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DATED at Toronto, **June 17, 2020**
ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary

Schedule A

List of Parties

EB-2020-0156

**Industrial Gas Users Association
EB-2020-0156**

APPLICANT & LIST OF INTERVENORS

June 17, 2020

APPLICANT

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Industrial Gas Users Association
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APPLICANT & LIST OF INTERVENORS

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**Industrial Gas Users Association
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