



Enbridge Gas Inc.

**Application for natural gas distribution rates and other
charges effective January 1, 2023**

**PROCEDURAL ORDER NO. 1
August 18, 2022**

Enbridge Gas Inc. (Enbridge Gas) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on June 30, 2022, under section 36 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B) seeking approval for changes to its natural gas distribution rates, effective January 1, 2023.

A Notice of Hearing was issued on July 20, 2022. The following parties applied for intervenor status:

- Consumers Council of Canada (CCC)
- City of Kitchener (Kitchener)
- Canadian Manufacturers & Exporters (CME)
- Energy Probe Research Foundation (Energy Probe)
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Petroleum Institute (OPI)
- Ontario Greenhouse Vegetable Growers (OGVG)
- Pollution Probe
- School Energy Coalition (SEC)
- Six Nations Natural Gas (SNNG)
- TransCanada PipeLines Limited (TCPL)
- Vulnerable Energy Consumers Coalition (VECC)

CCC, CME, Energy Probe, FRPO, IGUA, LPMA, OGVG, Pollution Probe, SEC and VECC also applied for cost eligibility.

No objection was received from Enbridge Gas.

Each of the parties that applied for intervenor status is approved as an intervenor. The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

CCC, CME, Energy Probe, FRPO, IGUA, LPMA, OGVG, Pollution Probe, SEC and VECC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

The OEB notes that this is Enbridge Gas's final IRM application under the current framework and in this proceeding the OEB will consider certain pass-through costs and an IRM adjustment. Accordingly, the OEB expects that intervenors will tailor their participation to match the complexity of the issues in this proceeding and coordinate their participation on common issues. In making its decision on costs awards the OEB will consider whether cost eligible intervenors made reasonable efforts to focus their participation on material issues and coordinate their participation on common issues.

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.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

Interrogatories

The OEB is making provision for written interrogatories. Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

Settlement Conference

The OEB is making provision for a settlement conference. Following the settlement conference, the OEB is making provision for the filing of letters informing the OEB of the status of the settlement discussions and the filing of a settlement proposal by Enbridge Gas, if any.

Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on Enbridge Gas and all other parties by **August 29, 2022**.
2. Enbridge Gas shall file with the OEB complete written responses to the interrogatories and serve them on all intervenors by **September 8, 2022**.

3. A settlement conference among the parties will be convened on **September 20, 2022, and September 21, 2022**, starting at 9:30 a.m. Information on how to participate in the conference will be provided at a later date.
4. **Within 48 hours** of the conclusion of the settlement conference, Enbridge Gas shall file a letter informing the OEB of the status of the settlement discussions including whether a tentative agreement had been reached or if the parties intend to continue settlement discussions.
5. If there is no settlement proposal arising from the settlement conference, Enbridge Gas shall file a statement to that effect with the OEB by **September 27, 2022**. In that event, parties shall file and serve on the other parties by **September 29, 2022**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
6. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **October 7, 2022**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether the parties believe those issues should be dealt with by way of oral or written hearing.
7. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **October 14, 2022**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2022-0133** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.

- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 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, Petar Prazic, at Petar.Prazic@oeb.ca and OEB Counsel, Ian Richler at Ian.Richler@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **August 18, 2022**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A
LIST OF APPLICANT AND INTERVENORS
ENBRIDGE GAS INC.
APPLICATION FOR 2023 RATES
EB-2022-0133
DATED : AUGUST 18, 2022

**Enbridge Gas Inc. – 2023 Rates
EB-2022-0133**

APPLICANT & LIST OF INTERVENORS

August 18, 2022

APPLICANT

Rep. and Address for Service

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INTERVENORS

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School Energy Coalition

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