



Ontario Energy Board

**A hearing on the Ontario Energy Board's own motion to
consider the price paid by rate-regulated natural gas
distributors and their customers for natural gas
produced in Ontario**

PROCEDURAL ORDER NO. 9

November 8, 2023

The Ontario Energy Board (OEB) initiated this proceeding on its own motion to consider the price paid by rate-regulated natural gas distributors for natural gas produced in Ontario.¹ In its Decision and Procedural Order No. 3, the OEB found that it does not have jurisdiction to directly set the price that Ontario natural gas producers get paid for the gas they produce. In its Decision and Procedural Order No. 4, the OEB limited the hearing to the issue of fair and transparent access to Enbridge Gas Inc.'s (Enbridge Gas) system.²

In its Decision and Procedural Order No. 8, the OEB found that Enbridge Gas's connection procedures, applicable to natural gas and renewable natural gas producers in Ontario, should be documented for inclusion in its transportation contract rates and gas purchase agreements. The OEB made provision for a settlement conference for parties to file a settlement proposal for the OEB's consideration. The OEB directed Enbridge Gas to provide an initial draft of connection procedures to all parties to the settlement conference and OEB staff by November 16, 2023. The OEB further directed that the procedures are expected to take into account similar provisions found in the OEB's Distribution System Code (DSC), and address producer connection process and timelines and contestability of certain new connection facilities. Enbridge Gas is also expected to include a proposal about how it will communicate available market capacity and shut-in processes. The OEB stated that the draft procedure would form the basis for discussions at the settlement conference.

Enbridge Gas filed a letter stating that it will not be able to complete the detailed work required within the allotted timeframe.³ The task involves subject matter experts in a variety of functional areas and work is required to understand and evaluate the

¹ Ontario Energy Board Notice, issued February 7, 2022

² Decision and Procedural Order No. 4, dated February 7, 2023

³ Enbridge Gas letter, dated November 7, 2023

approach taken by electricity distributors, not only as set out in the DSC but also as set out in individual electricity distributors' Conditions of Service. Adding to the timing challenge is the fact that some of the key individuals working on this new task are also involved in the Panhandle Regional Expansion Project leave to construct oral hearing, which is scheduled for the week of November 13, 2023.⁴

In its letter, Enbridge Gas requested that the OEB grant an extension for the date to provide its initial draft of the connection procedure and related required items to interested parties. Enbridge Gas said it is aiming to have the draft procedures completed during the week of December 4, 2023. Enbridge Gas proposed that the settlement conference could take place early in 2024. Enbridge Gas stated that it is not aware of any immediate urgency to update connection procedures for Ontario natural gas producers such that adding extra weeks to the process would harm any party.

The OEB approves Enbridge Gas's request for an extension to file its initial draft of the connection procedure and related required items. The updated procedural schedule is set in the following Order section.

Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Enbridge Gas shall provide an initial draft of a connection procedure to all parties to the settlement conference and OEB staff by **December 13, 2023**. This draft procedure shall address the Producer connection process and timelines, connecting station contestability, available market capacity and shut-in processes. This draft procedure shall form the basis for discussions at the settlement conference.
2. A settlement conference will be convened on **January 9, 2024**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **January 12, 2024**. This will be a virtual event and information on how to participate will be provided in advance of the conference.
3. OEB staff shall file a letter by **January 16, 2024**, informing the OEB of the status of the settlement discussions including whether a tentative agreement had been reached or if the parties propose to continue the settlement discussions.

⁴ EB-2022-0157

4. If there is no settlement proposal arising from the settlement conference, OPI shall file a statement to that effect with the OEB by **January 18, 2024**. Otherwise, Enbridge Gas, OPI and CBA, shall file a joint settlement proposal by **January 31, 2024**.
5. OEB staff and intervenors not party to a full settlement proposal may file a submission on the settlement proposal to be filed with the OEB and served on all parties by **February 9, 2024**.

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-2022-0094** 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 at the address below 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, Ritchie Murray at ritchie.murray@oeb.ca and OEB Counsel, James Sidlofsky at james.sidlofsky@oeb.ca

Email: registrar@oeb.ca

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

DATED at Toronto, **November 8, 2023**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar