



**EB-2008-0275**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c.15, (Schedule B);

**AND IN THE MATTER OF** an application by Enbridge Gas  
Distribution Inc., for an exemption from sections 2.2.2 and  
2.2.4 of the *Affiliate Relationships Code for Gas Utilities*.

### **PROCEDURAL ORDER NO.1**

On August 14, 2008, Enbridge Gas Distribution (“Enbridge” or the “Applicant”) filed an application with the Ontario Energy Board (the “Board”) seeking an exemption from section 2.2.2 of the *Affiliate Relationships Code for Gas Utilities* (the “ARC”) with respect to the sharing of certain information services with Gazifère Inc., an affiliate of Enbridge, and section 2.2.4 of the ARC with respect to providing certain operational control services to Enbridge Ontario Wind Power L.P. (“Wind Power”), an affiliate of Enbridge (the “Application”). The Board assigned File Number EB-2008-0275 to this application.

The Board invited parties to make submissions as to whether the Board should proceed without a hearing. The Board received submissions from the Consumers Council of Canada (“CCC”), and the Canadian Manufacturers and Exporters (“CME”) dated October 7, 2008 and October 8, 2008, respectively objecting to proceeding without a hearing. Both CCC and CME requested intervenor status and costs award eligibility.

The Board has considered the submissions of the Parties and will make provision in this Order for the delivery of written interrogatories. The Board also grants intervenor status and costs eligibility to CCC and CME. The Board notes that, under the *Practice Directions on Cost Awards*, the applicant is still entitled to a period of 10 days to object to the request for costs. The list of intervenors and addresses of service is attached as Appendix “A” to this order.

The Board considers it necessary to make provision for the following procedural matters related to this proceeding. Further procedural order may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. Intervenors or Board staff who wish information and material from the applicant that is in addition to the evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **Monday, October 27, 2008**.
2. The Applicant shall file its responses to interrogatories with the Board, and deliver them to intervenors on or before **Thursday, November 6, 2008**.
3. The Applicant may file with the Board its argument-in-chief and deliver it on Intervenors no later than **Thursday, November 13, 2008**.
4. Board staff and intervenors who wish to make a submission on the application must file that submission with the Board, and deliver it to the Applicant and other intervenors on or before **Thursday, November 20, 2008**.
5. The Applicant shall file its reply submission, if any, on or before **Thursday, November 27, 2008**.
6. All filings to the Board must quote file number EB-2008-0275 and be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to BoardSec@oeb.gov.on.ca. Those who do not have internet access are required to submit all filings on a CD or diskette 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.

**ISSUED** at Toronto, October 17, 2008  
**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**APPENDIX "A" TO  
PROCEDURAL ORDER NO.1  
LIST OF INTERVENORS  
BOARD FILE No. EB-2008-0275  
Dated October 17, 2008**

**ENBRIDGE GAS DISTRIBUTION INC.**

**APPLICATION FOR EXEMPTION TO THE *AFFILIATE  
RELATIONSHIPS CODE FOR GAS UTILITIES***

**EB-2008-0275**

**LIST OF INTERVENORS**

**October 16, 2008**

**Applicant**

**Rep. and Address for Service**

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Inc.**

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**AND**

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**Participants**

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Exporters ("CME")**

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**2. Consumers Council of  
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