



EB-2008-0220

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 Union Gas
Limited for an Order or Orders approving or fixing just
and reasonable rates and other charges for the sale,
distribution, transmission and storage of gas effective
January 1, 2009.

PROCEDURAL ORDER NO. 1

Union Gas Distribution Inc. ("Union" or "Applicant") filed an Application on September 26, 2008 with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act*, 1998, S.O. c.15, Sched. B, as amended, for an order of the Board approving or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2009. The Board has assigned file number EB-2008-0220 to the Application and has issued a Notice of Application dated October 27, 2008.

The Board has not received any objections from Union with respect to the parties seeking intervenor status or eligibility for costs. The Board grants intervenor status to the parties indicated in the List of Intervenors attached as Appendix A. The Board also grants eligibility for costs to the following intervenors: Canadian Manufacturers and Exporters, the Consumers Council of Canada, the Energy Probe Research Foundation, the London Property Management Association, the Ontario Association of Physical Plant Administrators, the School Energy Coalition, the Industrial Gas Users Association and the Vulnerable Energy Consumers Coalition. The Association of Power Producers of Ontario ("APPrO") indicated that it intended to

seek a determination by the Board at the conclusion of the proceeding that APPrO is eligible for cost awards.

A number of parties filing requests for intervenor status also suggested that the Board may wish to plan for a technical conference and/or a settlement conference, to be followed by a written or oral hearing, as circumstances warrant. On November 17, 2008 Union filed a letter stating, given the limited number of issues to be resolved in this proceeding, that there was need for neither a technical conference nor a settlement conference and that an oral hearing was unnecessary.

In the Board's view, the incentive regulation mechanism process was designed to be less procedurally complex and time intensive than a cost of service approach. In keeping with that view, the Board has determined that it will proceed with a written hearing in this proceeding.

The Board will now make provision for the following procedural matters.

Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. The List of Intervenors is attached as Appendix A to this Order.
2. Intervenors and Board staff, who wish information and material from Union that is in addition to the evidence filed with the Board, and that is relevant to this proceeding, shall request it by written interrogatories filed with the Board and delivered to Union on or before Tuesday December 9, 2008.
3. Union shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than Tuesday December 16, 2008.
4. The Applicant may file with the Board its argument-in-chief and deliver it to the intervenors no later than Friday December 19, 2008.

5. Intervenor and Board staff 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 Wednesday December 31, 2008.
6. The Applicant may file with the Board its reply argument and deliver it to the intervenors no later than Wednesday January 7, 2009.

All filings to the Board must quote file number EB-2008-0220 and be made through the Board's web portal at 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. 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. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Richard Battista at richard.battista @oeb.gov.on.ca and Board Counsel, Donna Campbell at donna.campbell@oeb.gov.on.ca.

DATED at Toronto, November 28, 2008.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

UNION GAS LIMITED 2009 RATES APPLICATION

EB-2008-0220 APPLICANT & LIST OF INTERVENTIONS

November 18, 2008

Applicant

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