

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

IN THE MATTER OF Enbridge Gas New Brunswick's 2012 Natural Gas Sales

ORDER

Whereas the New Brunswick Energy and Utilities Board ("Board") is required to annually review a financial report filed by Enbridge Gas New Brunswick ("EGNB") in connection with the sales of natural gas in compliance with Section 6 of New Brunswick Regulation 2003-19 (*Gas Distributor Marketing Regulation – Gas Distribution Act, 1999*) to ensure that EGNB has complied with the *Gas Distributor Marketing Regulation* and relevant Board Orders,

And whereas the Board engaged J.C. Butler Management Ltd. ("Butler") to assist it in its review of the gas sales of EGNB in 2012,

And whereas Butler filed a report with the Board dated June 19, 2013,

And whereas the Board has reviewed the aforesaid financial report and has considered the Butler report;

The Board finds as follows:

1. EGNB did not comply with Section 4.1 of the *Gas Distributor Marketing Regulation* by failing to obtain revenues from gas sales equal to or greater than EGNB's cost of purchasing and selling gas.
2. The non-compliance referred to in Paragraph 1 has been brought into compliance as much as is practicable by the payment of the shortfall by EGNB's parent company. The Board finds that the payment by EGNB's parent company provides the most practical solution to this issue and such payment has now been made.
3. EGNB was in compliance with the remaining sections of the *Gas Distributor Marketing Regulation*, including the prohibition on cross-subsidy between gas sales and gas distribution, and relevant Board orders.

Now, therefore, it is ordered that:

1. EGNB is to file with the Board a proposal to ensure compliance with Section 4.1 in 2013 and future years.
2. EGNB is to file with the Board, no later than 45 days after the end of each quarter, a report on the Sales of Alternative and Standard Offer Products, including forecasts of results to year end, including any plans to ensure compliance with the *Gas Distributor Marketing Regulation*.
3. EGNB is to file, at the beginning of each month, the price calculations and relevant information for its Standard Offer gas.

DATED at the City of Saint John, New Brunswick, this 26th day of July, 2013.

BY THE BOARD,

Caroline LB-Arseneau

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Clerk of the Board
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