



EB-2008-0146

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

AND IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine whether it should order new rates for the provision of natural gas, transmission, distribution and storage services to gas-fired generators (and other qualified customers) and whether the Board should refrain from regulating the rates for storage of gas.

AND IN THE MATTER OF Rules 7 42, 44 and 45.01 of the Board's *Rules of Practice and Procedure*.

DECISION

On July 24, 2008, Union Gas Limited ("Union" or the "Moving Party") filed a Motion to vary (the "Motion") a portion of the Settlement Agreement, dated June 13, 2006 in the Natural Gas and Electricity Interface Review ("NGEIR") with the Ontario Energy Board (the "Board"). The NGEIR proceeding was commenced on the Board's own motion on December 29, 2005.

The relief requested in Union's Motion is for:

An order varying that portion of the Settlement Agreement, at page 12, in the [NGEIR] proceeding, EB-2005-0551, that required interested customers and Union to convene (the "Power Services Review") no later than March 31, 2009 to discuss and evaluate the experience and success

of the new ex-franchise services (the "Power Service") being offered as a result of NGEIR.

Union requested that the deadline for the Power Services Review be changed from March 31, 2009 to March 31, 2010.

APPrO filed a submission on August 15, 2008 supporting the relief sought by Union. The Board received no other submissions from intervenors. Union filed a letter on August 20, 2008, stating it would not file reply argument as no party filed objections to the relief sought.

Board Findings

The extension requested by Union, to delay the deadline for review until March 31, 2010, will allow for a more meaningful dialogue on the experience and success of the Power Service. The Board's expectation is that Union will convene a meaningful Power Services Review at that time. No party objected to the relief sought, and the Board is satisfied that the relief sought in Union's Motion does not negatively affect any party.

The Board grants the relief sought in the Union Motion.

THE BOARD THEREFORE ORDERS THAT:

1. Union Gas Limited shall revise the deadline to convene the Power Services Review found at page 12, paragraph 3 of Union's Settlement Agreement from March 31, 2009 to March 31, 2010. All other terms of the Settlement Agreement shall remain in full force and effect.

ISSUED at Toronto, September 18, 2008
ONTARIO ENERGY BOARD

Original signed by

John Pickernell
Assistant Board Secretary