



**RP-2002-0147**

**EB-2002-0446**

**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 Natural  
Resource Gas Limited for an Order or Orders approving or  
fixing just and reasonable rates and other charges for the sale,  
distribution and transmission of gas commencing October 1,  
2002 and commencing October 1, 2003.

**PROCEDURAL ORDER No. 1**

Natural Resource Gas Limited ("NRG" or the "Company" or the "Applicant") filed an application dated December 17, 2002 (the "Application") with the Ontario Energy Board (the "Board") under section 36 of the Ontario Energy Board Act, 1998, c. 15, Schedule B (the "Act") for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution and transmission of gas for its fiscal 2003 test year commencing October 1, 2002 (the "2003 Test Year"), and for its 2004 fiscal test year commencing October 1, 2003 (the "2004 Test Year"). NRG filed partial evidence in support of the Application on December 20, 2002. The Company has indicated that it will file the remaining evidence by January 31, 2003. The Board assigned file number RP-2002-0147/EB-2002-0446 to this Application and issued a Notice of Application, dated December 20, 2002.

The Board considers it necessary to make provision for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

**THE BOARD THEREFORE ORDERS THAT:**

- 1 NRG shall file with the Board and Intervenors the remaining evidence in support of the Application no later than 4:45 p.m. on Friday, January 31, 2003.
- 2 A Stakeholder Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th floor, Toronto, Ontario, on Thursday, February 13, 2003 commencing at 9:00 a.m. At this conference, NRG will provide parties with an overview of its pre-filed evidence. There will be an opportunity for questions and discussion. The conference will not be transcribed.

3 Intervenor and Board Staff may require information and material relevant to the Application and not contained in the pre-filed evidence. Parties shall request this information or material by written interrogatories filed with the Board and delivered to NRG by 4:45 p.m. on Thursday, February 20, 2003. 11

4 NRG shall file with the Board complete responses to the interrogatories and deliver them to the Intervenor as soon as possible, but no later than 4:45 p.m. on Thursday, March 6, 2003. A list of Intervenor is attached as Appendix "A" [oeb:12LPL-0:1] to this Order. 12

5 Intervenor and Board Staff may file supplementary interrogatories with the Board and NRG by 4:45 p.m. on Friday, March 14, 2003, if and only if any interrogatory responses are incomplete or require clarification. New interrogatories may be asked on any new evidence filed after January 31, 2003. NRG shall file complete answers to all interrogatories by 4:45 p.m. on Friday, March 21, 2003. 13

6 Board Staff will circulate a Draft Issues List no later than Tuesday, March 25, 2003. 14

7 An Issues Conference, involving Board Staff, Intervenor and NRG, will be convened to review the Draft Issues List with the objective of developing a proposed Issues List for presentation to the Board. The Company will make available its technical and expert witnesses to assist in the process which will include further exploration and discussion of the evidence, including the interrogatory responses. The Issues Conference will not be transcribed. It will be held in the Board's hearing at 2300 Yonge Street, 25th Floor, Toronto, on Thursday, April 10, 2003, commencing at 9:00 a.m. 15

8 An Issues Day proceeding will take place on Monday, April 14, 2003, commencing at 9:30 a.m. in the Board's hearing room, at which time the Board will be advised of the proposed Issues List and hear submissions with respect to any contested issues. 16

9 Intervenor who wish to present evidence shall file that evidence with the Board and deliver it to NRG and the other Intervenor by 4:45 p.m. on Monday, April 28, 2003. 17

10 Any party (Intervenor, Board Staff or NRG) who requires additional information related to any Intervenor's filed evidence, and that is relevant to the hearing, shall do so by written interrogatories filed with the Board and delivered to the Intervenor by 4:45 p.m. on Monday, May 5, 2003. Responses to the interrogatories shall be filed with the Board and delivered to NRG and the other Intervenor by 4:45 p.m. on Monday, May 12, 2003. 18

11 A Settlement Conference will be convened on Tuesday, May 27, 2003, at 9:00 a.m. with the objective of reaching a settlement among the parties on as many of the issues on the Issues List as possible. The Settlement Conference will be held at 2300 Yonge Street, Toronto, in the Board's hearing room on the 25th Floor and, if needed, may continue until Thursday, May 29, 2003. 19

- 12 Intervenor intending to participate in the Settlement Conference shall provide a brief paper setting out their issues, analysis and proposals for the purpose of assisting the settlement process. A copy of the paper shall be forwarded to other Intervenor, NRG and directly to the attention of Board Staff (case manager - Jai Prashad) by 4:45 p.m. on Thursday, May 22, 2003. The paper will not form part of the public record nor will it be provided to Board members. 20
- 13 Board Staff shall participate in the Settlement Conference. 21
- 14 Board Staff, in keeping with its role in the settlement process as set out in the Settlement Conference Guidelines, will provide the parties with a Board Staff comments paper no later than 4:45 p.m. on Thursday, May 22, 2003. 22
- 15 Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than 4:45 p.m. on Monday, June 9, 2003. 23
- 16 All filings with the Board noted in the Order must be in the form of **8 hard copies and received by the Board by 4:45 p.m.** on the stated date. All parties must also include a copy of their filings on disk in WordPerfect format (or MS Word, if WordPerfect is not available). 24

**ISSUED** at Toronto, January 17, 2003. 25

**ONTARIO ENERGY BOARD**

**Peter H. O'Dell**  
**Assistant Board Secretary**