



EB-2009-0055

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 order or orders amending or varying
the rate or rates charged to customers as of October 1,
2009.

BEFORE: Pamela Nowina
Presiding Member and Vice Chair

Paul Sommerville
Member

SUPPLEMENTARY DECISION AND ORDER

Deferral and Variance Accounts

Enbridge Gas Distribution Inc. ("Enbridge" or the "Applicant") filed an application, dated March 18, 2009 (the "Application"), with the Ontario Energy Board (the "Board") under section 36 of the Ontario Energy Board Act, S.O. 1998, c.15, Schedule B (the "Act") for an order approving the disposition of balances in certain deferral or variance accounts. The Board assigned file number EB-2009-0055 to the Application and issued a Notice of Application dated April 1, 2009. The Board issued its Decision and Order on the matter on August 7, 2009 (the "Order").

On September 2, 2009, the Board received a letter from Enbridge seeking to vary the Order to alter the timing of the clearances of the balances in the deferral and variance accounts. In its Order, the Board had ordered the clearances to occur in October and November of 2009 to coincide with the October 1, 2009 quarterly commodity rate adjustment process for Enbridge ("QRAM"). In its letter, Enbridge requested that the

clearance dates be postponed until 2010 when it expects that its new Customer Information System ("CIS") will be able to facilitate the billing of the clearances.

The Board issued Procedural Order No. 3 on September 4, 2009 which outlined a process for parties to make submissions on Enbridge's request to vary the Order.

The Board received submissions from the Industrial Gas Users Association ("IGUA"), Canadian Manufacturers & Exporters ("CME") and Energy Probe Research Foundation ("Energy Probe"). No party objected to Enbridge's request. CME, however, suggested that the Board order the clearances for January and February of 2010 and if the CIS billing system is still unable to handle it, then Enbridge should apply for another vary order.

Enbridge replied that while it continues to expect that it will be in a position to clear its 2008 Deferral and Variance Accounts in January and February 2010, it will not know for certain whether that is advisable for some time. In keeping with this, Enbridge proposed that as part of its January 1, 2010 QRAM Application, it will either request the clearances of its 2008 Deferral and Variance Accounts in January and February 2010 or, if that is still not advisable, it will inform the Board of when the clearances will be effected.

The Board finds that Enbridge's proposal is acceptable. The Board will therefore await notice from Enbridge in its January 2010 QRAM Application on the appropriate timing of the clearances, including the advisability of clearing the accounts in January and February of 2010. The Board notes that the January 1, 2010 QRAM Application filing is expected on or around the first of December 2009.

THE BOARD THEREFORE ORDERS THAT:

1. The Board's August 7, 2009 Order is hereby varied to remove the requirement for the clearances of the deferral and variance accounts to coincide with the October 1, 2009 QRAM.

2. Enbridge shall report to the Board no later than the time of its filing for the January 1, 2010 QRAM on the advisability and proposed timing of the clearances of the deferral and variance accounts.
3. IGUA, CME and Energy Probe shall be eligible to submit to the Board, and provide a copy to Enbridge, any supplemental cost claim relating to this portion of the proceeding within 10 days of the day of this Decision and Order.
4. Enbridge shall file with the Board and forward these parties any objections to the claimed costs within 15 calendar days from the date of this Decision and Order.
5. Intervenors whose cost claims have been objected to may file with the Board and forward to Enbridge any responses to any objections for cost claims within 20 calendar days of the date of this Decision and Order.
6. All filings to the Board must quote file number EB-2009-0055, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format filed through the Board's web portal at www.errr.oeb.gov.on.ca. Filings must clearly state the sender's name, postal address and telephone number and, if available, a fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found on the "e-Filing Services" webpage of the Board's website at www.oeb.gov.on.ca. If the web portal is not available you may email your document to BoardSec@oeb.gov.on.ca.

DATED at Toronto, September 17, 2009
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary