



EB-2010-0382
EB-2010-0384

NOTICE OF APPLICATION AND NOTICE OF WRITTEN HEARING

GAS FRANCHISE AGREEMENT AND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CORPORATION OF THE TOWNSHIP OF ST. CLAIR

Union Gas Limited ("Union" or the "Applicant") has filed an application dated December 14, 2010 with the Ontario Energy Board (the "Board") under section 9 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the "Act"), for an order of the Board approving the terms and conditions upon which and the period for which the Corporation of the Township of St. Clair (the "Corporation") is, by by-law, to grant to the Applicant the right to construct and operate works for the distribution of gas and the right to extend and add to the works in the Township of St. Clair (the "Municipality"). The Applicant has also applied for an order of the Board declaring and directing that the assent of the municipal electors to the by-law is not necessary. The Board has assigned file number EB-2010-0382 to the franchise renewal application.

The Applicant has also applied, pursuant to section 8 of the Act, for an order of the Board that cancels and supersedes that part of F.B.C. 192 related to the former Township of Sombra with a Certificate of Public Convenience and Necessity for the Corporation of the Township of St. Clair. The Board has assigned file number EB-2010-0384 to this matter.

On January 1, 2001, the former Township of Sombra and the former Township of Moore were amalgamated to form the Township of St. Clair. The Applicant has a Franchise Agreement with the former Township of Sombra (E.B.A. 729) which expires on June 10, 2011) and a Franchise Agreement (E.B.A.873) with the former Township of Moore which expires on March 9, 2014. The Applicant holds a Certificate of Public Convenience and Necessity (F.B.C. 192) with the former Township of Sombra. The Applicant does not

Applicant does not hold a Certificate of Public Convenience and Necessity for the former Township of Moore as gas was distributed prior to April 1, 1933 when a Certificate of Public Convenience and Necessity was not required.

The application will be decided by the Manager, Natural Gas Applications, who has been delegated this authority pursuant to section 6 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B). The Manager, Natural Gas Applications does not intend to provide for an award of costs when deciding this application.

Copies of the application and pre-filed evidence will be available for public inspection at the Board's offices, the Applicant's offices, and at the office of the Corporation at the addresses indicated below.

The Board intends to proceed with the application by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board within **7 days** of the publication date of this Notice.

If you wish to participate in the written hearing, you must make a written submission that is received by the Board no later than **14 days** after the publication date of this Notice, with a copy to the Applicant, at the addresses below. If the Applicant wishes to respond to the written submissions, such response must be received by the Board no later than **21 days** after the publication date of this Notice. All submissions must be received by the Board Secretary by **4:45 p.m.** on the required dates.

If the written submission is from a private citizen (i.e., not a lawyer representing a client, not a consultant representing a client or organization, not an individual in an organization that represents the interests of consumers or other groups, and not an individual from a regulated entity), before placing the written submission on the public record, the Board will remove any personal (i.e., not business) contact information from the written submission (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the written submission will become part of the public record.

All filings to the Board must quote file numbers EB-2010-0382 and EB-2010-0384, 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 e-mail 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 cannot provide an electronic version of their filing are required to file 7 paper copies.

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING WRITTEN SUBMISSIONS IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

ADDRESSES

(for viewing of copies of application)

Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Attn: Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656
Email: Boardsec@oeb.gov.on.ca

Union Gas Limited
50 Keil Drive North
Chatham, ON N7M 5M1

Attn: Patrick McMahon
Manager, Regulatory Research
and Records

Tel: 519-436-5325

Email: pmcmahon@uniongas.com

**The Corporation of the
Township of St. Clair**
1155 Emily Street
Mooretown, ON N0N 1M0

Attn: John DeMars
Director of Administration/Clerk

Tel: 519-867-2021
Fax: 519-867-5509

Union Gas Limited
109 Commissioners Road
London, ON N6A 4P1

Attn: Shawn Khoshaien
District Manager
London/Sarnia

Tel: 519-667-4109
Fax: 519-667-4299

DATED at Toronto, December 24, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary