



**EB-2016-0186**

**Union Gas Limited**

**Application for approval to construct a natural gas pipeline in the Township of Dawn Euphemia, the Township of St. Clair and the Municipality of Chatham-Kent and approval to recover the costs of the pipeline**

**PROCEDURAL ORDER NO. 3**

**November 3, 2016**

Union Gas Limited (Union) filed an application with the Ontario Energy Board (OEB) on June 10, 2016 for:

1. leave to construct 40 kilometres of 36 inch diameter pipeline from Union's Dawn Compressor Station in the Township of Dawn-Euphemia to its Dover Transmission Station in the Municipality of Chatham-Kent (the Project) pursuant to section 90 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (Act)
2. approval of the recovery of costs associated with the construction of the Project pursuant to section 36 of the Act
3. approval to calculate the Project's revenue requirement and resulting rates based on a 20 year depreciation term
4. approval of an accounting order to establish a Panhandle Reinforcement Deferral Account pursuant to section 36 of the Act

The OEB issued Procedural Order No. 1 and 2 which made provisions for interrogatories and responses, a technical conference, filing of intervenor evidence, and interrogatories and responses regarding the intervenor evidence. As the written discovery process concludes on November 14, 2016, the OEB finds it appropriate to schedule an oral hearing.

In the event the OEB decided to proceed with an oral hearing, Union requested it be near the location of the Project in either Leamington, Chatham or Windsor. The Canadian Association of Energy and Pipeline Landowners Association (CAEPLA) supported Union's request for an oral hearing in Chatham. CAEPLA indicated that most of the properties affected by the Project are located north and west of Chatham, not in the vicinity of either Leamington or Windsor.

CAEPLA also suggested scheduling a settlement conference to allow the landowner issues raised by CAEPLA' to be dealt with separately from the issues raised by the other intervenors.

The OEB has considered these requests. The OEB finds it appropriate to make provision for both a settlement conference regarding the landowner issues<sup>1</sup> and an oral hearing regarding all other issues<sup>2</sup>.

The settlement conference will be held in Chatham on Monday, November 21, 2016 at a location to be determined. The settlement conference will not be a cost eligible activity for intervenors, other than CAEPLA or any other directly affected landowner as it is intended to deal exclusively with issues raised by the landowners, none of which appear to directly affect the issues raised by other intervenors. The OEB expects OEB staff to attend the settlement conference. The OEB will provide for further procedural steps regarding the landowner issues, as necessary following the settlement conference.

The oral hearing will be held in Toronto from Tuesday, November 22 to Thursday, November 24, 2016. The three oral hearing days are reserved for all issues other than the landowner issues.

The OEB may issue further procedural orders from time to time.

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. A Settlement Conference will be held in Chatham on **November 21, 2016** at a location to be determined.
2. An Oral Hearing will be held at the OEB's offices located at 2300 Yonge Street, Toronto, Ontario, on the 25th Floor in the North Hearing Room on **November 22, 23 and 24, 2016** from 9:30 – 5:00 pm.

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<sup>1</sup> Issues # 6, 7, 8, 9, and 12; OEB Decision on Issues List, August 24, 2016

<sup>2</sup> Issues #1, 2, 3, 4, 5, 10,11 and 12; OEB Decision on Issues List, August 24, 2016

All filings to the OEB must quote file number **EB-2016-0186**, be made through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format.

Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca). If the web portal is not available you may email your document to the [BoardSec@ontarioenergyboard.ca](mailto:BoardSec@ontarioenergyboard.ca). Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies. If you have submitted through the OEB's web portal an e-mail is not required.

All communications should be directed to the attention of the Board Secretary and be received no later than **4:45 p.m.** on the required date.

**ADDRESS**

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**DATED** at Toronto, November 3, 2016

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary