



EB-2008-0411

**NOTICE OF APPLICATION AND HEARING
UNION GAS LIMITED
LEAVE TO SELL 11.7 KILOMETERS NATURAL GAS PIPELINE**

Union Gas Limited ("Union Gas" or the "Applicant") has filed an application with the Ontario Energy Board (the "Board") dated December 23, 2008, under section 43(1) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B). The application seeks an order from the Board granting leave to sell 11.7 kilometers of 24 inch diameter steel natural gas pipeline running between the St. Clair Valve Site and Bickford Compressor Site in the Township of St. Clair. A map depicting the location of this pipeline is attached as Schedule A to this Notice.

The purchaser of the pipeline is a proposed limited partnership known as Dawn Gateway Pipeline Limited Partnership ("Dawn Gateway LP"). The Dawn Gateway LP will be owned by Spectra Energy Corp ("Spectra") and DTE Pipeline Company ("DTE").

Spectra and DTE plan to develop a dedicated 34 kilometer 24 inch diameter steel natural gas transmission pipeline connecting Belle River Mills (owned by DTE) in Michigan and the Dawn Compressor Site in Ontario. This plan proposes that the 11.7 kilometer pipeline which is the subject of this application would be incorporated into and become part of that 34 kilometer natural gas pipeline, and that there would be construction of a new 17 km 24 inch diameter steel natural gas transmission pipeline connecting the Bickford and Dawn Compressor Stations. The application further indicates that the entire pipeline in Ontario (the existing portion which is the subject of this application and the proposed new construction) is expected to be regulated by the National Energy Board, the Federal Government Regulator rather than the Ontario Energy Board.

How to see Union Gas' Pre-filed Evidence

Copies of the application and pre-filed evidence will be available for public inspection at the Board's offices and the Applicant's offices.

How to Participate

You may participate in this proceeding in one of three ways:

You may send the Board a letter of comment. Your letter should include any request to make an oral presentation to the Board, and must be received by the Board no later than **30 days** from the publication date of this notice, or, if you have been served this notice personally, no later than **10 days** from the date of service

You may request observer status in order to receive documents issued by the Board in the proceeding. Your request must be made by letter received by the Board no later than **10 days** from the publication date of this notice, or, if you have been served this notice personally, no later than **10 days** from the date of service.

You may request intervenor status if you wish to actively participate in the proceeding. Your request must be made by letter of intervention received no later than **10 days** from the publication date of this notice, or, if you have been served this notice personally, no later than **10 days** from the date of service. Your letter of intervention must include a description of how you are, or may be, affected by the proceeding; and if you represent a group, a description of the group and its membership. The Board may choose to hold either a written or an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reasons for that preference. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

How to File Documents with the Board

All filings to the Board must quote file number EB-2008-0411, be made through the Board's web portal at www.errr.oeb.gov.on.ca, 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.oeb.gov.on.ca. If the web portal is not available you may e-mail your document to the address below. 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 do not have computer access are required to file 7 paper copies.

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

Need More Information?

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT REQUEST TO PARTICIPATE IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THESE PROCEEDINGS.

Addresses

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

Attention: Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

E-mail: BoardSec@oeb.gov.on.ca

Union Gas Limited

Mark Murray, Manager
Regulatory Projects & Lands Acquisitions
Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1

Solicitor for Union Gas Limited:

Sharon Wong
Blake, Cassels & Graydon
Barristers & Solicitors
199 Bay Street, Suite 2800
Toronto ON M5L 1A9

Tel: 519.436-4601

Fax: 519.436-4641

Tel: 416.863-4178

Fax: 416.863-2653

E-mail: mmurray@spectraenergy.com

E-mail: sharon.wong@blakes.com

DATED at Toronto, February 3, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

SCHEDULE A

TO THE NOTICE OF APPLICATION AND HEARING

BOARD FILE NO. EB-2008-0411

DATED: February 3, 2009

MAP OF THE PROPOSED 11.7 KILOMETERS PIPELINE TO BE SOLD

