



EB-2009-0142

**NOTICE OF APPLICATION AND
NOTICE OF WRITTEN HEARING**

**GAS FRANCHISE AGREEMENT
FOR THE CITY OF PICKERING**

Enbridge Gas Distribution Inc. (the "Applicant") has filed an application dated May 7, 2009 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 renewing the Applicant's right to distribute, store, and transmit gas in and through the City of Pickering (the "Municipality") for such a period of time and upon the terms set out in the Franchise Agreement (the "Agreement") between the Applicant and the Corporation of the City of Pickering (the "Corporation"). The Applicant has also applied for an order of the Board declaring and directing that the assent of the municipal electors to the terms and conditions of the Agreement is not necessary.

The Board has assigned file number EB-2009-0142 to this matter.

The Applicant currently has an Agreement with the Corporation which will expire on October 9, 2010. The Applicant also has a Certificate of Public Convenience and Necessity, dated May 15, 1956, with the former Township of Pickering (now known as the City of Pickering).

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 forward three copies of your written submissions to the Board Secretary and one copy to the applicant at the addresses below. All submissions must be received no later than **14 days** after the publication date of this Notice. 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 quote file no. EB-2009-0142, 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, **and be received by the Board Secretary by 4:45 p.m. on the required dates.**

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: Ms. Kirsten Walli
Board Secretary

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

**Enbridge Gas Distribution Inc.
(Head Office)**

500 Consumers' Road
North York ON M2J 1P8

Attn: Ms. Lesley Austin
Regulatory Coordinator,
Regulatory Proceedings

Tel: 416-495-6505
Fax: 416-495-6072

Corporation of the City of Pickering

1 The Esplanade
Pickering ON L1V 6K7

Attn. Ms. Debi A. Wilcox
City Clerk

Tel: 905-420-4660
Fax: 905-420-9685

**Enbridge Gas Distribution Inc.
(Regional Office)**

1350 Thorton Road S.
Oshawa ON L1J 8C4

Attn. Mr. Michael Wagle
Operations Manager
Central Region

Tel: 905-436-7025
Fax: 905-436-7029

DATED at Toronto, May 14, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary