



EB-2007-0717

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Sched. B;

AND IN THE MATTER OF an Application by Union Gas
Limited for approval of the parties to, the period of, and the
storage that is the subject of a T1 gas storage contract
between Union Gas Limited and LANXESS Inc.

NOTICE OF APPLICATION

GAS STORAGE CONTRACT APPROVAL

The Application

Union Gas Limited has filed an application (the "Application"), dated August 8, 2007, with the Ontario Energy Board under section 39(2) of the *Ontario Energy Board Act, 1998* for an order of the Board approving, without a hearing, the parties to, the period of, and the space for storage that is the subject of a T1 Gas Storage Contract (the "T1 Contract") with LANXESS Inc. (the "Applicant" or "LANXESS").

The Board has assigned file number EB-2007-0717 to the Application.

The Contract

Effective November 1, 2006, Union and LANXESS entered into a one-year T1 Contract at cost-based rates. The Contract is for gas storage space of up to 206,000 GJ (0.19 Bcf) as well as distribution services.

On August 15, 2007 Union and LANXESS agreed to extend the expiry date of the Contract to October 31, 2012 ("Amendment").

The above-noted Contract and Amendment provide for 206,000 GJ (0.19 Bcf) of firm storage space as well as distribution services to LANXESS from November 1, 2006 to October 31, 2012.

Confidential Information

Union has filed a request that the Board hold in confidence certain information in the contract that is commercially sensitive or customer specific. For this reason, Union filed a version of the T1 Contract and Amendment with the commercially sensitive and customer specific information removed. The full T1 Contract and Amendment has been provided to the Board in confidence. **If you object to the request for confidentiality, your submission to the Board must address the following:**

- the reason why you believe that the information that is the subject of the request for confidentiality is not confidential, in whole or in part, by reference to the grounds for confidentiality expressed by the Applicant making the request for confidentiality; and
- the reason why you require disclosure of the information that is the subject of the request for confidentiality and why access to the non-confidential version or description of the document (as applicable) is insufficient to enable you to present your case.

If you require access to the confidential version of the document in order to submit your objection, you may request that the Board allow access for that purpose. Such request shall be made in writing, and the Applicant may object to that request.

Additional information regarding the Board's policy and practice concerning confidential filings may be found in the Board's *Practice Direction on Confidential Filings* which is posted under 'Regulatory Instruments' at www.oeb.gov.on.ca.

Procedure

This notice is being sent to all participants in the proceeding that established Union's natural gas rates for 2007.

The filed Application is available on the public record at the Board's offices, address below, and at the office of the Applicant, address listed in Appendix "A".

Union has requested that the Application be disposed of without a hearing on the grounds that no person will be adversely affected in a material way by the outcome of this Application. The Board has not yet determined whether to hold a hearing in relation to the Application, and invites submissions on the issue from interested persons.

HOW TO PARTICIPATE

1. Interested persons that believe they will be adversely affected in a material way by the outcome of this proceeding may file a written submission with the Board requesting that the Board hold a hearing in relation to the Application. The submission should clearly indicate the nature of the material adverse effect that is being asserted. The submission must be filed with the Board, and a copy sent to Union at the address listed in Appendix A, no later than **Tuesday, September 4, 2007**.
2. Responses to the submission(s) may be filed with the Board by Union no later than **Tuesday, September 11, 2007** with a copy to the person that provided the submission.
3. If you already have a user ID, submit your responses through the OEB portal at <http://www.errr.oeb.gov.on.ca/> . If you do not have a user ID, a request may be made to the Board Secretary at boardsec@oeb.gov.on.ca.

All filings to the Board in relation to this proceeding must quote file number EB-2007-0717 and include your name, postal address and telephone number and, if available, e-mail address and fax number. Two paper copies of each filing must be provided. The Board asks that parties make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format. Those who do not have internet access must submit a CD or diskette in PDF format. For those who do not have computer access, two paper copies are required. Additionally parties are requested to follow the document naming conventions and document submission standards outlined in the RESS Document Guidelines found at <http://www.oeb.gov.on.ca/documents/tools/efiling/RESS%20Document%20Guidelines.pdf> .

4. All filings with the Board should be directed to:

Kirsten Walli, Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge St.
Toronto ON M4P 1E4
Tel: 1-888-632-6273 (toll free)
Fax: 1-416-440-7656
E-mail: boardsec@oeb.gov.on.ca

ISSUED at Toronto, August 24, 2007.

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary

APPENDIX “A”

TO

NOTICE OF APPLICATION

Union – LANXESS Gas Storage Contract

Board File No. EB-2007-0717

LIST OF INTERESTED PARTIES

Applicant

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Assistant General Counsel
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Other Parties

Mr. Terry Furlotte, LANXESS Inc.
All Participants in the proceeding that established Union's 2007 rates