



EB-2009-0333  
EB-2009-0334

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

**GAS FRANCHISE AGREEMENT AND CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
FOR THE MUNICIPALITY OF MIDDLESEX CENTRE**

Union Gas Limited ( the “Applicant”) has filed an application dated September 9, 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 approving the terms and conditions upon which and the period for which the Municipality of Middlesex Centre (the “Municipality”) 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 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 assigned File Number EB-2009-0334 to the franchise application.

On January 1, 1998, the former Townships of Lobo, London, Delaware, and the former Police Village of Delaware were amalgamated to form the Municipality of Middlesex Centre by Minister’s Order dated May 8, 1997.

The Applicant has also applied, pursuant to section 8 of the Act, for an order of the Board that supersedes those parts of the existing Certificate of Public Convenience and Necessity (“Certificate”) associated with the former Townships of Lobo and Delaware (P.F.A. 5643), and supercedes those parts of the Certificate associated with the former Township of London (F.B.C. 192), and cancels those parts related to the former Township of Lobo (P.F.M. 580), the former Township of London (F.B.C. 270), and the former Township of Delaware (P.F.M. 582), and replaces these with a single Certificate for the

Municipality of Middlesex Centre. The Board assigned File Number EB-2009-0333 to the Certificate application.

The Applicant currently holds a Franchise Agreement associated with the former Township of Lobo (E.B.A. 600), and perpetual Franchise Agreements with the former Township of London, the former Township of Delaware, and the former Police Village of Delaware. The proposed Franchise agreement covers the same territory as that covered by the existing franchise agreements.

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.

All filings to the Board must quote file number EB-2009-0333/EB-2009-0334, 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](http://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](http://www.oeb.gov.on.ca). If the web portal is not available, you may e-mail your document to [Boardsec@oeb.gov.on.ca](mailto: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

**Union Gas Limited  
(Head Office)**  
50 Keil Drive North  
Chatham ON N7M 5M1

Attn: Mr. Patrick McMahon  
Manager, Regulatory Research  
and Records

Tel: 519-436-5325  
Fax: 519-436-4641

**The Municipality of Middlesex Centre**  
10227 Ilderton Road, R.R. #2  
Ilderton, ON N0M 2A0

Attn. Cathy Saunders,  
Chief Administrative Officer/Clerk

Tel: 519-666-0190  
Fax: 519-666-0271

**Union Gas Limited  
(District Office)**  
109 Commissioners Road  
London ON N6A 4P1

Attn. Mr. Shawn Khoshaien  
District Manager  
London/Sarnia

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

**DATED** at Toronto, September 29, 2009

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary