



EB-2008-0411

IN THE MATTER OF the *Ontario Energy Board Act 1998*,
S.O.1998, c.15, (Schedule B) (the “Act”);

AND IN THE MATTER OF an Application by Union Gas Limited pursuant to section 43(1) of the Act, for an Order or Orders granting leave to sell 11.7 kilometers of natural gas pipeline between the St. Clair Valve Site and Bickford Compressor Site in the Township of St. Clair, all in the Province of Ontario.

PROCEDURAL ORDER NO. 4

Union Gas Limited (“Union” 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* (“the Act”). The Applicant seeks an order from the Board granting leave to sell 11.7 kilometers of 24 inch diameter steel natural gas pipeline located between the St. Clair Valve Site and Bickford Compressor Site in the Township of St. Clair. The Board assigned file No. EB-2008-0411 to this application.

The Board completed a written phase of the proceeding and held an oral hearing on June 22 and June 23, 2009 at its offices in Toronto. Written submissions were completed by August 28, 2009.

Upon the conclusion of the oral hearing and receipt of all of the submissions, the Board determined that in order to complete the record Union and Dawn Gateway Pipeline Limited Partnership (“DGLP”) should file certain evidence with the Board, namely the information with respect to the five shippers’ contracts pertaining to price, volume and terms and that such information be provided to each party’s counsel or consultant, as the case may be.

During the oral hearing, Union indicated that it considered the price information contained in the five shippers' contracts as confidential information. Accordingly, the Board will allow Union to file the necessary information in confidence in accordance with the Board's *Practice Direction on Confidential Filings*. Union and DGLP are not required to provide the names of the five shippers.

Counsel and consultants for the parties wishing to receive the confidential information will provide a signed Declaration and Undertaking respecting confidentiality.

THE BOARD ORDERS THAT:

1. Union Gas and / or Dawn Gateway Pipeline Limited Partnership shall file, in confidence, copies of the five shippers contracts including information with respect to the terms, volumes and prices for such contracts, by no later than **Friday October 9, 2009**.

DATED at Toronto, October 7, 2009.

ONTARIO ENERGY BOARD

Original signed by

John Pickernell
Assistant Board Secretary

APPENDIX A

to

Procedural Order No. 4

DATED October 7, 2009

IN THE MATTER OF

**Leave to Sell Application by Union Gas Limited
EB-2008- 0411**

List of Participants

UNION GAS LIMITED

EB-2008-0411

APPLICANT & LIST OF INTERVENTIONS

October 7, 2009

Applicant

Rep. And Address for Service

Union Gas Limited

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

Tel: 519-436-4601
Fax: 519-436-4641
Email: mmurray@spectraenergy.com

Counsel for applicant

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

Tel: 416-863-4178
Fax: 416-863-2653
Email: Sharon.wong@blakes.com

Intervenors

Rep. And Address for Service

1. Bluewater Gas Storage (BGS)

John D. Reid
Bluewater Gas Storage LLC
333 Clay Street, Suite 1100
Houston Texas 77002

Tel: 713-652-3671
Fax: 713-652-3700
Email: jreid@paalp.com

- 3 -

AND

Eileen Wilson Kisluk
Bluewater Gas Storage LLC
333 Clay Street, Suite 1600
Houston Texas 77002

Tel: 713-993-5203
Fax: 713-646-4216
Email: ewkisluk@paalp.com

2. Canadian Manufacturers &
Exporters (CME)

Paul Clipsham
Director of Policy
Ontario Division
Canadian Manufacturers & Exporters
6725 Airport Road, Suite 200
Mississauga ON L4V 1V2

Tel: 905-672-3466 ext. 3236
Fax: 905-672-1764
Email: paul.clipsham@cme-mec.ca

AND

Peter C.P. Thompson, Q.C.
Borden Ladner Gervais LLP
Barristers & Solicitors
100 Queen Street, Suite 1100
Ottawa ON K1P 1J9

Tel: 613-787-3528
Fax: 613-230-8842
Email: pthompson@blgcanada.com

AND

Vincent J. DeRose
Borden Ladner Gervais LLP
Barristers & Solicitors
100 Queen Street, Suite 1100
Ottawa ON K1P 1J9

Tel: 613-787-3589
Fax: 613-230-8842
Email: vderose@blgcanada.com

- 4 -

3. Dawn Gateway Pipeline L.P.

L. E. Smith, Q.C.
Dawn Gateway Pipeline L.P.
c/o Bennett Jones LLP
4500 Bankers Hall East
855 - 2nd Street SW
Calgary, AB T2P 4K7

Tel: 403-298-3315
Fax: 403-265-7219
Email: smithl@bennettjones.com
- 4.. Enbridge Gas Distribution Inc. (Enbridge)

Bonnie Jean Adams
Enbridge Gas Distribution Inc.
500 Consumers Road
Toronto ON M2J 1P8

Tel: 416-495-5499
Fax: 416-495-6072
Email: EGDRegulatoryProceedings@enbridge.com
- AND

Scott Stoll
Aird & Berlis LLP
Suite 1800, Box 754
Brookfield Place, 181 Bay Street
Toronto ON M5J 2T9

Tel: 416-865-4703
Fax: 416-863-1515
Email: ssoll@airdberlis.com
5. Federation of Rental-Housing Providers of Ontario (FRPO)

Vince Brescia
Federation of Rental-Housing Providers of Ontario
20 Upjohn Road, Suite 105
Toronto ON M3B 2V9

Tel: 416-385-1100
Fax: 416-385-7112
Email: vbrescia@frpo.org

AND

Dwayne Quinn
Dr. Quinn & Associates Ltd.
160 White Pine Crescent
Waterloo ON N2V 1C1

Tel: 519-500-1022
Email: drquinn@rogers.com

6. GAPLO-Union (Dawn Gateway) and Canadian Alliance of Pipeline Landowners' Associations (CAPLA)

Paul G. Vogel
Cohen Highley LLP
One London Place
11th Floor – 255 Queens Avenue
London ON N6A 5R8

Tel: 519-672-9330
Fax: 519-672-5960
Email: vogel@cohenhighley.com

AND

John D. Goudy
Cohen Highley LLP
One London Place
11th Floor – 255 Queens Avenue
London ON N6A 5R8

Tel: 519-672-9330
Fax: 519-672-5960
Email: goudy@cohenhighley.com

7. Market Hub Partners
Canada L.P. (MHP Canada)

Jim Redford
Vice President
Market Hub Partners Canada L.P.
c/o Market Hub Partners Management Inc.
P.O. Box 2001
50 Keil Drive North
Chatham ON N7M 5M1

Tel: 519-436-4577
Fax: 519-358-4449
Email: jredford@spectraenergy.com

8. Shell Energy North America (Canada) Inc. (Shell Energy) Paul Kerr
Manager, Market Affairs
Shell Energy North America (Canada) Inc.
60 Struck Court, Suite 100
Cambridge ON N1R 8L2

Tel: 519-620-7712
Fax: 519-624-7712
Email: paul.kerr@shell.com

9. St. Clair Pipelines L.P. (St. Clair) Jim Redford
Vice-President
St. Clair Pipelines Mangement Inc.
P.O. Box 2001
50 Keil Drive North
Chatham ON N7M 5M1

Tel: 519-436-4577
Fax: 519-358-4449
Email: jredford@spectraenergy.com

10. TransCanada Pipelines Limited (TransCanada) James Bartlett
Manager, Regulatory Research
TransCanada Pipelines Limited
450 – 1st Street S.W.
Calgary AB T2P 5H1

Tel: 403-920-7165
Fax: 403-920-2347
Email: jim_bartlett@transcanada.com
transcanada_mainline@transcanada.com

AND

Murray Ross
TransCanada Pipelines Limited
55 Yonge Street, 8th Floor
Toronto ON M5E 1J4

Tel: 416-869-2110
Fax: 416-869-2119
Email: murray_ross@transcanada.com

- 7 -

AND

Rosemary Duffy
Legal Counsel
TransCanada Pipelines Limited
450 – 1st Street S.W.
Calgary AB T2P 5H1

Tel: 403-920-5594

Fax: 403-920-2357

Email: rosemary_duffy@transcanada.com