



EB-2009-0422

**NOTICE OF APPLICATION AND HEARING
DAWN GATEWAY PIPELINE LIMITED PARTNERSHIP**

**LEAVE TO CONSTRUCT THE BICKFORD DAWN PIPELINE
CONSISTING OF A 24 INCH DIAMETER NATURAL GAS PIPELINE IN
THE TOWNSHIP OF ST. CLAIR AND IN THE TOWNSHIP OF DAWN-
EUPHEMIA IN THE COUNTY OF LAMBTON**

Dawn Gateway Pipeline Limited Partnership ("Dawn Gateway LP") has filed an application with the Ontario Energy Board (the "Board"), dated December 23, 2009 under sections 36 and 90 of the *Ontario Energy Board Act*, 1998, S.O. 1998, C.15 (Schedule B) for approval of a regulatory framework for the Ontario portion of the Dawn Gateway Pipeline including charging tolls at negotiated prices and for leave to construct approximately 17 kilometers of 24 inch diameter steel natural gas pipeline in the County of Lambton (the "Bickford Dawn Pipeline"). The Board has assigned the application Board File No. EB-2009-0422.

Dawn Gateway LP and Dawn Gateway Pipeline LLC plan to develop a dedicated 34 kilometer 24 inch diameter steel natural gas transmission pipeline to be known as the Dawn Gateway Pipeline connecting the Belle River Mills Compressor Station in Michigan to the Dawn Compressor Station in Ontario.

The proposed Bickford Dawn Pipeline will proceed from the existing Bickford Compressor Station, located in the Township of St. Clair to the existing Dawn Compressor Station, located in the Township of Dawn-Euphemia, all in the County of Lambton. The Bickford Dawn Pipeline will form part of the Dawn Gateway Pipeline. A map showing the location of the proposed Bickford Dawn Pipeline is attached as Appendix "A" to this Notice.

Dawn Gateway LP plans to start construction during the 2010 construction season and the proposed in-service date of the Dawn Gateway Pipeline is November 2010.

How to see Dawn Gateway LP's Pre-filed Evidence

Copies of the application and the pre-filed evidence in support of Dawn Gateway LP's application will be available for public inspection at the Board's office in Toronto and on its website, www.oeb.gov.on.ca, at Dawn Gateway LP's head office, and at the offices of the affected municipalities (addresses below).

How to Participate

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

1. Send a Letter with your Comments to the Board

You may send the Board a letter of comment which will be provided to the Board members deciding the application, and will be part of the public record for the application. Your letter may include a request to make an oral presentation to the Board, and must be received by the Board no later than **30 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the address below.

2. Become an Observer

Observers do not actively participate in the proceeding but monitor the progress of the proceeding. You may request observer status in order to receive documents issued by the Board in the proceeding. If you become an observer, you need to contact the applicant and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below; however, two paper copies are also required. You must also provide a copy of your letter to the applicant.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor status is eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this 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.

All filings to the Board must quote file number EB-2009-0422, 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 email 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 email your document to BoardSec@oeb.gov.on.ca. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies. If you have submitted through the Board's web portal an e-mail is not required.

How to Contact Us

In responding to this Notice, please include Board File No. EB-2009-0422 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. 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 website 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 THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.

FURTHER, IF THE APPLICATION FOR LEAVE TO CONSTRUCT IS GRANTED, THE APPLICANT MAY SUBSEQUENTLY APPLY TO EXPROPRIATE LANDS FOR THE CONSTRUCTION OF THE PIPELINE IF NECESSARY.

Addresses

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

Attention: Ms. Kirsten Walli
Board Secretary

E-mail: boardsec@oeb.gov.on.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

Township of St. Clair
1155 Emily Street
Mooretown ON N0N 1M0

Attention: Mr. John Rodey
Chief Administrative Officer

Dawn Gateway LP
c/o Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1

Attention: Mr. Mark Murray
Manager, Regulatory Projects

Tel: 519-436-4601
Fax: 519-436-4641

Blake, Cassels & Graydon LLP
Barristers & Solicitors
Commerce Court West
199 Bay Street, 28th Floor
Toronto ON M5L 1A9

Attention: Ms. Sharon Wong
Counsel for Dawn Gateway LP

Tel: 519-867-2021
Fax: 519-867-5509

Tel: 416-863-4178
Fax: 416-863-2653

Township of Dawn-Euphemia
4591 Lambton Line, RR4
Dresden ON N0P 1M0

County of Lambton
P.O. Box 3000
789 Broadway Street
Wyoming ON N0N 1T0

Attention: Mr. Michael Schnare
Chief Administrative Officer

Attention: Mr. Ronald Van Horne
Chief Administrative Officer

Tel: 519-692-5148
Fax: 519-692-5511

Tel: 519-845-0801
Fax: 519-845-3160

DATED at Toronto, December 31, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

**APPENDIX A TO
NOTICE OF APPLICATION AND HEARING
BOARD FILE NO. EB-2009-0422
DATED: DECEMBER 31, 2009**

