



EB-2010-0296

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 an order or orders amending or varying its
approved C1 and M12 rate schedules to accommodate
new firm transportation services.

**NOTICE OF APPLICATION, WRITTEN HEARING
AND PROCEDURAL ORDER NO. 1**

Union Gas Limited ("Union" or the "Applicant") filed an application (the "Application") on September 30, 2010 with the Ontario Energy Board (the "Board") seeking approval to modify its current approved C1 rate schedule to accommodate firm transportation service from Union's interconnect at Kirkwall to Dawn, effective September 1, 2011. The Applicant is also seeking approval to modify its current approved M12 rate schedule to accommodate a firm, bi-directional, M12-X transportation service, effective September 1, 2011.

Union recently held two non-binding open seasons specific to the proposed transportation services. As a result of the first open season (held in February and March, 2010), Union received over 800,000 GJ/day of non-binding interest from producers, marketers and LDCs for service starting September 2011. Following the first open season, Union executed 10-year firm M12-X transportation service contracts with TransCanada Pipelines ("TransCanada") and Enbridge Gas Distribution Inc. ("Enbridge") to convert a total of approximately 328,000 GJ/day of existing M12 service to the new, flexible M12-X service beginning September 2011.

After the close of the first open season, Union received additional inquiries regarding the proposed services and capacity on the path. Consequently, Union re-opened the

non-binding open season in July 2010. Union received over 1,200,000 GJ/day of non-binding interest for transportation service commencing as early as July 2012.

In order to allow Union to receive volumes at Kirkwall, and accommodate the proposed transportation services, Union must make modifications to its existing facilities at Kirkwall to allow for the reversal (and bi-direction flow) of the station. The estimated capital cost of the facility modifications is \$4.7 million and construction is expected to occur in the summer of 2011 in order to meet contracted requirements.

Union has filed written evidence in support of the Application and the Application has been assigned Board File No. EB-2010-0296.

WRITTEN HEARING

The Board intends to proceed in this matter by way of a written hearing unless any party provides a good reason why it should proceed by way of an oral hearing. A list of pre-approved Intervenor is attached as Appendix "A" to this Order and consists of an updated list of all participants in the Union rate hearing EB-2009-0275. Listed parties who do not wish to participate in the current proceeding may so advise the Board.

THE BOARD THEREFORE ORDERS THAT:

1. Union shall immediately serve a copy this Notice of Application, Written Hearing and Procedural Order No. 1, along with a copy of the Application and pre-filed evidence to all intervenors listed in Appendix "A". Union shall provide affidavit evidence of all deliveries to the Board.
2. Intervenor and Board staff who wish information and material from Union in addition to evidence already filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Company on or before **October 20, 2010**.
3. Union shall file with the Board complete responses to the interrogatories and deliver them to the Intervenor no later than **October 29, 2010**.
4. Union may, if it wishes, file with the Board its argument-in-chief and deliver it to the Intervenor no later than **November 5, 2010**.

5. Argument with respect to all issues shall be filed with the Board by Intervenor and Board Staff on or before **November 12, 2010**, and shall be served simultaneously on Union and other Intervenor.
6. Reply argument of the applicant shall be filed with the Board on or before **November 19, 2010**, and shall be simultaneously served on Intervenor.

All filings to the Board must quote file number **EB-2010-0296**, 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 e-mail 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 the address below. 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 7 paper copies.

All parties must also provide the Case Manager, Lawrie Gluck, lawrie.gluck@oeb.gov.on.ca, with an electronic copy of all comments and correspondence related to this case.

IMPORTANT: If you do not file any comments in response to this notice, the Board may proceed without your participation and you will not be entitled to any further notice of these proceedings.

ISSUED at Toronto, October 05, 2010

ONTARIO ENERGY BOARD

Original Signed By

John Pickernell
Assistant Board Secretary

APPENDIX A

NOTICE OF WRITTEN HEARING AND PROCEDURAL ORDER NO. 1

APPLICANT AND LIST OF INTERVENORS

BOARD FILE No: EB-2010-0296

DATED OCTOBER 05, 2010

UNION GAS LIMITED

EB-2010-0296

APPLICANT & LIST OF INTERVENTIONS

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| Intervenors | Rep. And Address for Service |
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