



EB-2010-0300

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 pre-approving the cost
consequences associated with three long-term natural
gas transportation contracts.

NOTICE OF APPLICATION AND PROCEDURAL ORDER NO. 1

Union Gas Limited ("Union" or the "Applicant") filed an application (the "Application") on October 5, 2010 with the Ontario Energy Board (the "Board") seeking approval of the cost consequences associated with three long-term natural gas transportation contracts. The three contracts are for transportation services on the TCPL system between Niagara and Kirkwall, between Parkway and Union's Eastern Delivery Area ("EDA") and between Parkway and Union's Northern Delivery Area ("NDA").

Union's bid for these contracts was made conditional on receiving pre-approval from the Board to recover the resulting costs through its rates. The Applicant has indicated that if approval is not received, it will not proceed with the contracts.

The Niagara to Kirkwall contract is a minimum ten-year contract for 21,101 GJ/d firm transportation service. At current National Energy Board ("NEB") rates, the annual demand commitment is \$697,000 CDN/year. The transportation service will commence November 1, 2012.

The Parkway to EDA contract is a minimum ten-year contract for 20,000 GJ/d firm short-haul capacity. The transportation service is estimated to cost \$2,827,400 CDN/year. Service will commence November 1, 2013.

The Parkway to NDA contract is a minimum ten-year contract for 10,000 GJ/d firm short-haul capacity. The transportation service is expected to cost \$1,072,500 CDN/year. Service will commence November 1, 2013.

Union has filed written evidence in support of the Application. The Application has been assigned Board File No. EB-2010-0300.

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 current Union rate hearing EB-2010-0148 and all participants in the EB-2008-0280 proceeding which established the Filing Guidelines for Pre-Approval of Long-term Natural Gas Supply and/or Upstream Transportation Contracts. Listed parties who do not wish to participate in the current proceeding may so advise the Board.

Union has requested a written hearing process to review this Application. At this time the Board has not decided whether there will be a written or an oral hearing process. Accordingly, please be aware that the Board will issue another Procedural Order regarding this proceeding at a later date. The Board may order costs in this proceeding.

THE BOARD THEREFORE ORDERS THAT:

1. Union shall immediately serve a copy this Notice of Application 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. Parties who intend to seek costs in this proceeding must advise the Board and the Applicant and include the grounds for their eligibility for costs by **November 8, 2010**.
3. 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 **November 17, 2010**.
4. Union shall file with the Board complete responses to the interrogatories and deliver them to the Intervenor no later than **November 30, 2010**.

All filings to the Board must quote file number **EB-2010-0300**, 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, Hima Desai, Hima.Desai@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, November 1, 2010

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX A TO
Notice of Application and Procedural Order No. 1
Applicant and List of Intervenors
Board File No. EB-2010-0300
DATED: November 1, 2010

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

November 1, 2010

APPLICANT

Rep. and Address for Service

Union Gas Limited

Karen Hockin

Manager, Regulatory Applications
Union Gas Limited
50 Keil Drive North
Chatham-kent, ON N7M 5M1

Tel: 519-436-5473

Fax: 519-436-4641

khockin@uniongas.com

APPLICANT COUNSEL

Emily Kirkpatrick

Counsel

Torys LLP

Suite 3000, Maritime Life Tower
P.O. Box 270

Toronto-Dominion Centre

Toronto ON M5K 1N2

Tel: 416-865-7337

Fax: 416-865-7380

ekirkpatrick@torys.com

INTERVENORS

Rep. and Address for Service

Alliance Pipeline Ltd.

Brian Troicuk

Regulatory Affairs Manager

BP Canada Energy Company

240 - 4 Avenue S.w. P.o. Box 200

Calgary AB T2P 2H8

Tel: 403-233-1356

Fax: 403-233-5667

brian.troicuk@alliance-pipeline.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 2 -

November 1, 2010

Alliance Pipeline Ltd.

Eric Besseling

Director
Alliance Pipeline Ltd.
600, 605-5 Avenue S.W.
Calgary AB T2P 3H5
Tel: 403-517-6551
Fax: Not Provided
eric.besseling@alliance-pipeline.com

**Association of Power
Producers of Ontario**

David Butters

President & CEO
Association of Power Producers of Ontario
25 Adelaide St. E.
Suite 1602
Toronto ON M5C 3A1
Tel: 416-322-6549 Ext: 231
Fax: 416-481-5785
David.Butters@appro.org

John Wolnik

Elenchus Research Associates (ERA)
34 King St. E.
6th Floor
Toronto ON M5C 2X8
Tel: 519-474-0844
Fax: 519-474-0844
jwolnik@era-inc.ca

BP Canada Energy Company

Cheryl Worthy

Regulatory Affairs Manager
BP Canada Energy Company
240 - 4 Avenue S.W.
Calgary AB T2P 2H8
Tel: 403-233-1569
Fax: 403-233-5667
cheryl.worthy@bp.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 3 -

November 1, 2010

**Building Owners and
Managers Assoc. of the
Greater Toronto Area (BOMA)**

Chris Conway

President and Chief Staff Officer
Building Owners and Managers Assoc. of the Greater
Toronto Area (BOMA)
20 Queen Street West
Suite 2012
Toronto ON M5H 3R3
Tel: 416-596-8065
Fax: 416-596-1085
cconway@bomatoronto.org

Randy Aiken

Aiken & Associates
578 McNaughton Ave. W.
Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: 519-351-4331
randy.aiken@sympatico.ca

**Canadian Manufacturers &
Exporters**

Paul Clipsham

Director of Policy, Ontario Division
Canadian Manufacturers & Exporters
6725 Airport Rd.
Suite 200
Mississauga ON L4V 1V2
Tel: 905-672-3466 Ext: 3236
Fax: 905-672-1764
paul.clipsham@cme-mec.ca

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 4 -

November 1, 2010

**Canadian Manufacturers &
Exporters**

Peter Thompson, Q.C.

Borden Ladner Gervais LLP
100 Queen St.
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-787-3528
Fax: 613-230-8842
pthompson@blgcanada.com

Vincent DeRose

Borden Ladner Gervais LLP
100 Queen St.
Suite 1100
Ottawa ON K1P 1J9
Tel: 613-787-3589
Fax: 613-230-8842
vderose@blgcanada.com

Consumers Council of Canada Julie Girvan

Consultant
Consumers Council of Canada
62 Hillside Ave. East
Toronto ON M4S 1T5
Tel: 416-322-7936
Fax: 416-322-9703
jgirvan@ca.inter.net

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 5 -

November 1, 2010

**Direct Energy Marketing
Limited**

Ric Forster

Director
Direct Energy Marketing Inc.
2225 Sheppard Avenue E.
Atria III
Toronto ON M2J 5C2
Tel: 416-718-5942
Fax: 416-758-4272
ric.forster@directenergy.com

ECNG Energy L.P.

Bill Killeen

Director, Energy Supply & Regulatory
ECNG Energy L.P.
5575 North Service Rd.
Suite 400
Burlington ON L7L 6M1
Tel: 905-635-3288
Fax: 905-635-3298
bkilleen@ecng.com

Enbridge Gas Distribution Inc.

David Stevens

Aird & Berlis LLP
BCE Place
181 Bay Street, Suite 1800
P. O. Box 754
Toronto ON M5J 2T9
Tel: 416-865-7783
Fax: Not Provided
dstevens@airdberlis.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 6 -

November 1, 2010

Enbridge Gas Distribution Inc. Shari Lynn Spratt

Regulatory Coordinator
Enbridge Gas Distribution Inc.
500 Consumers Road
P.O. Box 650
Toronto ON M2J 1P8
Tel: 416-495-5499
Fax: 416-495-6072
EGDRegulatoryProceedings@enbridge.com

Fred Cass
Aird & Berlis LLP
Suite 1800, P.O. Box 754
Brookfield Place, 181 Bay Street
Toronto ON M5J 2T9
Tel: 416-863-1500
Fax: 416-863-1515
fcass@airdberlis.com

Norm Ryckman
Director, Regulatory Affairs
Enbridge Gas Distribution Inc.
500 Consumers Road
Toronto ON M2J 1P8
Tel: 416-495-5499
Fax: 416-495-6072
EGDRegulatoryProceedings@enbridge.com

**Energy Probe Research
Foundation**

David MacIntosh
Case Manager
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
DavidMacIntosh@nextcity.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 7 -

November 1, 2010

**Federation of Rental-housing
Providers of Ontario**

Vince Brescia

President & CEO
Federation of Rental-housing Providers of Ontario
20 Upjohn Road, Suite 105
Toronto ON M3B 2V9
Tel: 416-385-1100 Ext: 20
Fax: 416-385-7112
vbrescia@frpo.org

Dwayne Quinn

Principal
Dr Quinn & Associates Ltd.
160 White Pine Cres.
Waterloo ON N2V 1C1
Tel: 519-500-1022
Fax: 416-no fax provided
drquinn@rogers.com

**Gazprom Marketing & Trading
USA, Inc**

John Hattenberger

President and Managing Director
Gazprom Marketing & Trading USA, Inc
700 Louisiana Street
Suite 2500
Houston TX 77002
Tel: 281-404-4502
Fax: 281-404-4501
john.hattenberger@gazprom-mt.com

Peter Abt

Gazprom Marketing & Trading USA, Inc
700 Louisiana Street
Suite 2500
Houston TX 77002
Tel: 281-404-4500
Fax: Not Provided
peter.abt@gazprom-mt.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 8 -

November 1, 2010

**Industrial Gas Users
Association**

Ian Mondrow

Macleod Dixon LLP Barristers & Solicitors
1 First Canadian Place
1600-100 King Street West
Toronto ON M5X 1G5
Tel: 416-369-4670
Fax: 416-862-7661
ian.mondrow@gowlings.com

Murray Newton

President
Industrial Gas Users Association
99 Metcalfe St. Suite 1201
Ottawa ON K1P 6L7
Tel: 613-236-8021
Fax: 613-230-9531
mnewton@igua.ca

Jason F. Stacey

Jason Stacey

Jason F. Stacey
471 Lincoln Gate
Oakville ON L6H 3J8
Tel: 905-338-8786
Fax: 905-338-5348
jfstacey@interlog.com

Just Energy Ontario L.P.

Nola Ruzycki

Director, Regulatory Affairs
Just Energy Ontario L.P.
6345 Dixie Rd. Suite 200
Mississauga ON L5T 2E6
Tel: 905-795-4204
Fax: 905-564-6069
nruzycki@justenergy.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 9 -

November 1, 2010

**London Property Management
Association**

Randy Aiken

Aiken & Associates
578 McNaughton Ave. W.
Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: 519-351-4331
randy.aiken@sympatico.ca

Natural Resource Gas Limited

John Beauchamp

Ogilvy Renault LLP
Suite 3800
Royal Bank Plaza, South Tower
200 Bay St. P.O. Box 84
Toronto ON M5J 2Z4
Tel: 416-216-1927
Fax: 416-216-3930
jbeauchamp@ogilvyrenault.com

Jonathan Myers

Torys LLP
79 Wellington St. W.
Suite 3000, Maritime Life Tower
P.O. Box 270, Toronto Dominion Centre
Toronto ON M5K 1N2
Tel: 416-865-7532
Fax: 416-865-7380
jmyers@torys.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 10 -

November 1, 2010

**Ontario Association of
Physical Plant Administrators**

Valerie Young

Director, Research & Analysis
Aegent Energy Advisors Inc.
1 Eva Rd. Suite 317
Toronto ON M9C 4Z5
Tel: 416-622-9449 Ext: 104
Fax: 416-622-9797
vyoung@aegent.ca

Ontario Power Generation Inc.

Garry Hendel

Senior Advisor, Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue, H18-g1
Toronto ON M5G 1X6
Tel: 416-592-6054
Fax: 416-592-8519
garry.hendel@opg.com

Randy Pugh

Manager, Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue, Hi 8-f1
Toronto ON M5G 1x6
Tel: 416-592-3546
Fax: 416-592-8519
randy.pugh@opg.com

Barbara S. Reuber

Director, Ontario Regulatory Affairs
Ontario Power Generation Inc.
700 University Ave. H18-G2
Toronto ON M5G 1X6
Tel: 416-592-5419
Fax: 416-592-8519
barbara.reuber@opg.com

Union Gas Limited

EB-2010-0300

APPLICANT & LIST OF INTERVENORS

- 11 -

November 1, 2010

Pollution Probe Foundation

Basil Alexander

Klippensteins, Barristers & Solicitors

160 John St. Suite 300

Toronto ON M5V 2E5

Tel: 416-598-0288

Fax: 416-598-9520

basil.alexander@klippensteins.ca

Jack Gibbons

Public Interest Economics

625 Church St. Suite 402

Toronto ON M4Y 2G1

Tel: 416-926-1907 Ext: 240

Fax: 416-926-1601

jgibbons@pollutionprobe.org

Murray Klippenstien

Klippensteins, Barristers & Solicitors

160 John St. Suite 300

Toronto ON M5V 2E5

Tel: 416-598-0288

Fax: 416-598-9520

murray.klippenstein@klippensteins.ca

**Shell Energy North America
(Canada) Inc.**

Paul Kerr

Manager, Market Affairs

Shell Energy North America (Canada) Inc.

90 Sheppard Ave E.

Suite 600

Toronto ON M2N 6Y2

Tel: 416-227-7312

Fax: 877-397-0413

paul.kerr@shell.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 12 -

November 1, 2010

**Six Nations Natural Gas
Company Limited**

Nick Petruzzella

Six Nations Natural Gas Company Limited
1953 Fourth Line
P.O. Box 300
Oshweken ON N0A 1M0
Tel: 519-445-4213
Fax: 519-445-4313
nick@sixnatgas.com

**The Corporation of the City of
Kitchener**

J. Alick Ryder

Partner
Ryder Wright Blair & Holmes LLP
333 Adelaide Street West
3rd Floor
Toronto ON M5V 1R5
Tel: 416-340-9070 Ext: 227
Fax: 416-340 9250
jaryder@rwbh.ca

James Gruenbauer

Manager, Regulatory Affairs & Supply
The Corporation of the City of Kitchener - Utilities
Division
Financial Services Dept., Kitchener Util
City Hall, P.O. Box 1118
200 King St. W., 5th Floor
Kitchener ON N2G 4G7
Tel: 519-741-3400 Ext: 3255
Fax: 519-741-2633
jim.gruenbauer@kitchener.ca

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 13 -

November 1, 2010

**TransAlta Cogeneration
Limited Partnership**

Elisabeth Demarco

Counsel
Macleod Dixon LLP Barristers & Solicitors
Toronto Dominion Centre
100 Wellington St. W. Suite 500
P.O. Box 128
Toronto ON M5K 1H1
Tel: 416-203-4431
Fax: 416-360-8277
elisabeth.demarco@macleoddixon.com

Pete Serafini

Commercial Specialist
TransAlta Corporation
110 - 12th Avenue SW
Box 1900, Station "M"
Calgary AB T2P 2M1
Tel: 403-267-4635
Fax: 403-267-7575
pete_serafini@transalta.com

Rob Findlay

TransAlta Cogeneration Limited Partnership
110 - 12th Avenue S.W.
Box 1900, Station "M"
Calgary AB T2P 2M1
Tel: 403-267-6947
Fax: 403-267-7355
Rob_Findlay@transalta.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 14 -

November 1, 2010

TransCanada Energy Ltd.

Eric Nadeau

Eastern Markets
TransCanada Energy Ltd.
Royal Bank Plaza
24th Floor, South Tower
200 Bay Street
Toronto ON M5J 2J1
Tel: 514-286-0705 Ext: 2225
Fax: 514-287-0386
eric_nadeau@transcanada.com

Nadine Berge

Senior Legal Counsel
TransCanada PipeLines Limited
450 - 1st Street S.W.
Calgary AB T2P 5H1
Tel: 403-920-6253
Fax: 403-920-2357
nadine_berge@transcanada.com

**TransCanada PipeLines
Limited**

James Bartlett

Manager, Regulatory Research & Analysis
TransCanada PipeLines Limited
450-1st Street S.W.
Calgary AB T2P 5H1
Tel: 403-920-7165
Fax: 403-920-2347
jim_bartlett@transcanada.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 15 -

November 1, 2010

**TransCanada PipeLines
Limited**

Murray Ross

TransCanada PipeLines Limited
200 Bay Street
Royal Bank Plaza
24th floor, South Tower
Toronto ON M5J 2J1
Tel: 416-869-2110
Fax: 416-869-2119
murray_ross@transcanada.com

Nadine Berge

Senior Legal Counsel
TransCanada PipeLines Limited
450 - 1st Street S.W.
Calgary AB T2P 5H1
Tel: 403-920-6253
Fax: 403-920-2357
nadine_berge@transcanada.com

Union Gas Limited

Marian Redford

Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1
Tel: 519-436-4600 Ext: 2580
Fax: 519-436-4641
mredford@uniongas.com

Mark Kitchen

Director, Regulatory Affairs
Union Gas Limited
50 Keil Drive North
P.O. Box 2001
Chatham ON N7M 5M1
Tel: 519-436-5275
Fax: 519-436-4641
mkitchen@uniongas.com

**Union Gas Limited
EB-2010-0300**

APPLICANT & LIST OF INTERVENORS

- 16 -

November 1, 2010

Union Gas Limited

Chris Ripley

Manager
Union Gas Limited
50 Keil Drive North
P.O. Box 2001
Chatham ON N7M 5M1
Tel: 519-436-5476
Fax: 519-436-4641
cripley@uniongas.com

Crawford Smith

Counsel
Torys LLP
79 Wellington St. W.
Suite 3000, Maritime Life Tower
P.O. Box 270, Toronto Dominion Centre
Toronto ON M5K 1N2
Tel: 416-865-7323
Fax: 416-865-7380
csmith@torys.com

**Vulnerable Energy Consumers
Coalition**

James Wightman

Consultant
Econalysis Consulting Services Inc.
34 King St. E. Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0640
Fax: 416-348-0641
jwightman@econalysis.ca

Union Gas Limited

EB-2010-0300

APPLICANT & LIST OF INTERVENORS

- 17 -

November 1, 2010

Vulnerable Energy Consumers Coalition Michael Buonaguro

Counsel
Public Interest Advocacy Centre
34 King St. E., Suite 1102
Toronto ON M5C 2X8
Tel: 416-767-1666
Fax: 416-348-0641
mbuonaguro@piac.ca