



EB-2011-0040
EB-2011-0041
EB-2011-0042

NOTICE OF APPLICATIONS

LEAVE TO CONSTRUCT A NATURAL GAS PIPELINE IN THE TOWNSHIP OF EAR FALLS AND THE MUNICIPALITY OF RED LAKE, BOTH IN THE DISTRICT OF KENORA

GAS FRANCHISE AGREEMENT WITH THE MUNICIPALITY OF RED LAKE

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE MUNICIPALITY OF RED LAKE

UNION GAS LIMITED

Union Gas Limited (the "Applicant" or "Union") filed applications with the Ontario Energy Board (the "Board") on February 8, 2011 relating to proposed natural gas facilities and services in the Red Lake area. The applications were filed together and consist of requests for Leave to Construct a natural gas pipeline, a Municipal Franchise Agreement for the Municipality of Red Lake ("Red Lake") and a Certificate of Public Convenience and Necessity ("CPCN") for Red Lake.

Leave to Construct

The Leave to Construct application, filed under section 90 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B is for an order granting leave to construct approximately 43.6 kilometres of nominal pipe size ("NPS") 8 (8 inch diameter) steel pipeline to connect with Union's existing facilities near Ear Falls and terminate at the intersection of Highway 105 and Highway 125 (the "Red Lake Lateral") and distribution

pipelines to Goldcorp Inc.'s mine sites in Balmertown and Cochenour. The Board has assigned this Leave to Construct application file number EB-2011-0040.

The Red Lake Lateral will commence at Union's existing facilities at the Bruce Lake Mine site located in the Township of Ear Falls, will proceed along the Highway 105 until it reaches the intersection of Highway 105 and Highway 125. From the intersection of Highway 105 and Highway 125 the NPS 8 pipeline will continue north along Highway 125 for 1 kilometre and then continue as NPS 6 along Highway 125 for 5.4 kilometres, then branching into NPS 6 for 1.15 kilometres west to the Balmertown Mine Site and then continue as NPS 6 for 6.7 kilometres northeast along Highway 125 to the Cochenour Mine Site. Union is proposing to commence construction of the pipeline in April 2011. The planned in-service date is November 2011.

The proposed pipelines and ancillary facilities represent Phase I of Union's planned system expansion into this area. Phase II of the expansion will provide distribution pipe into the Municipality of Red Lake. Phase II has no specific timeline and would not require leave to construct from the Board. It will involve constructing distribution pipelines to provide natural gas service to the residents and businesses of Red Lake, Balmertown, Cochenour, Chukuni River Subdivisions, and any other residents and businesses along the Red Lake Lateral who request service. The commencement of Phase II is dependent on the necessary funding becoming available to proceed with construction.

A map showing the location of the proposed pipeline route is attached as Appendix "A".

Gas Franchise Agreement and Certificate of Public Convenience and Necessity

Applications were also filed for approval of a gas franchise agreement with the Municipality and a Certificate of Public Convenience and Necessity to construct works in the Municipality.

Union has filed an application under section 9 of the *Municipal Franchises Act, R.S.O. 1990, c. M.55*, as amended, for an order of the Board approving the terms and conditions upon which and the period for which the Corporation of the Municipality of Red Lake (the "Corporation") 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 proposed Franchise Agreement is in the form of the 2000 Model Franchise Agreement with no amendments and is for a term of twenty (20) years. 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 has assigned file number EB-2011-0041 to the franchise application.

Union has also applied for a Certificate of Public Convenience and Necessity to construct works to supply gas to the inhabitants of the Corporation. This would be the first such certificate for the Corporation. Union has a Certificate of Public Convenience and Necessity (EBC 55) and a valid franchise agreement (EBA 129) for the Township of Ear Falls. The Board has assigned file number EB-2011-0042 to the Certificate of Public Convenience and Necessity application.

How to see Union's Application

Copies of the applications are available for inspection at the Board's office in Toronto and on its website, www.ontarioenergyboard.com/OEB/Industry ; at Union's offices and on its website, <http://www.uniongas.com/aboutus/regulatory/regulatoryprojects.asp> and at the offices of the local municipalities at the addresses indicated below.

Written Hearing

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for holding an oral 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 supporting an oral hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this Notice.

How to Participate

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

1. Become an Intervenor

Intervenors participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at any oral hearing).

A 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. A letter of intervention must include: (a) a description of how you are, or may be, affected by the outcome of this proceeding; (b) if you represent a group, a description of the group and its membership; and (c) whether you intend to seek an award of costs and the grounds for your cost award eligibility.

You must also provide a copy of your letter of intervention to the applicant at the address provided below.

Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which means that all filings will be available for viewing at the Board's offices and will be placed on the Board's website.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.ontarioenergyboard.ca. Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at www.ontarioenergyboard/OEB/Industry, e-Filing Services.

The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD in PDF format, along with two paper copies.

2. Send a Letter with your Comments to the Board

If you wish to comment on the proceeding without becoming an intervenor, you may submit a letter of comment to the Board Secretary.

All letters of comment sent to the Board will be placed on the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the letter of comment on the public record, the Board will remove any personal (i.e., not business) contact information from the letter of comment (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter of comment will become part of the public record.

A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel. Your letter of comment 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 addresses below.

3. Become an Observer

Observers do not participate actively in the proceeding but receive documents issued by the Board in the proceeding. There is no fee for observers to receive documents issued by the Board.

A 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.

All letters requesting observer status will become part of the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the request for observer status on the public record, the Board will remove any personal (i.e., not business) contact information from the request (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the request for observer status will become part of the public record.

Observers may also request documents filed by the applicant and other parties to the proceeding but must request these documents directly from the relevant party. Observers may be required to pay for the costs of reproducing and delivering the material.

Most documents filed in this application will also be available on the Board's website.

How to Contact Us

In responding to this Notice, please reference Board file numbers EB-2011-0040, EB-2011-0041 and EB-2011-0042 in the subject line of your e-mail or at the top of your letter. Please clearly specify which applications are the subject of your response. 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 www.ontarioenergyboard/OEB/Industry or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

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

Ontario Energy Board

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

Attn: Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656
Email: Boardsec@ontarioenergyboard.ca

Union Gas Limited

50 Keil Drive North
Chatham ON N7M 5M1

Attn: Mark Murray
Manager, Regulatory Projects
& Lands Administration

Tel: 519-436-4601
Email: mmurray@uniongas.com

and

Dan Jones
Assistant General Counsel

Tel: 519-436-5396
Email: dxjones1@uniongas.com

Municipality of Red Lake

P.O. Box 1000
Balmertown ON POY 1CO

Attention: Shelly Kocis, Clerk

Telephone: (807) 735-2096
Fax: 807-735-2286
Email: shelly@red-lake.com

Union Gas Limited - District Office

1211 Amber Drive
Thunder Bay ON P7B 6M4

Telephone: 807-684-8800
Fax: 807-684-8805

Township of Ear Falls

P.O. Box 309
1 Shelski Lane,
Ear Falls ON POY ITO

Attention: Kimberly Ballance, Clerk

Telephone: (807) 222-3624
Fax: 807-222-2384
Email: kballance@ear-falls.com

DATED at Toronto, March 8, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix “A”

Union Gas Limited

EB-2011-0040

EB-2011-0041

EB-2011-0042

March 8, 2011

Location Map

Union Gas Limited Red Lake Project, District of Kenora

