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April 27, 2011

Via Courier

Ms. Kirsten Walli, Board Secretary,
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

RE: File Number EB-2010-0381
Leave to Construct Natural Gas Pipeline and Ancillary Facilities
in the City of London and the Municipality of Middlesex Centre,
in the County of Middlesex

Response to Procedural Order No. 2

Pursuant to Procedural Order No. 2 and as parties with intervenor status, we wish to submit the following commentary and evidence as appropriate. With respect to location of the proposed gas pipeline within the road allowance as now indicated in correspondence dated April 15, 2011 from Union Gas Limited ("UNION") submitted to the Ontario Energy Board ("OEB") we have no disagreement. Given this letter of intent from UNION for the proposed pipeline construction location we do not plan to participate in the hearing scheduled for May 24, 2011 at 9:30 am at the Board's Toronto Office.

However, it is not clear at this time other than from information presented in the original UNION application File Number EB-2010-0381, which side/sides of the road allowance will be used north of Sunningdale Road. An earlier undertaking on the part of UNION to secure 8 metre easement option/pipeline agreements on the east side of Wonderland Road North adjacent to the road allowance may indicate a current preference for an east side road allowance location. Specific evidence (Figure 1) being submitted relates to a west side road allowance location on Wonderland Road North associated with the northerly part of Lot 21(south half), Concession 9, geographic London Township conducted in 2004 by Farncomb Kirkpatrick & Stirling Surveying

Ltd. (file No. 04-302-G, Land Survey Records, Inc., pdf download). Assuming the validity of this survey instrument, pipeline location in the "west side road allowance" in this area would be within Jackson property. An east side road allowance location would obviate the need for UNION to obtain an easement option/pipeline agreement in this area.

It is pertinent to comment at this time with respect to Schedule 12 (page 56) and associated Schedule 14 (pages 65-67 inclusive) from the original application from UNION to OEB File Number EB-2010-0381, Although not specifically referenced in the April 15, 2011 correspondence from Union to OEB, we request clarification as it relates to planned temporary land use and/or crop damages in the proposed plan. As this is an agricultural area, construction as per schedule, will move forward at a time potentially in conflict with harvesting and/or planting. We would request that should temporary land use and/or crop damages occur that the most recent UNION agreements of this nature apply. Provision to access property impacted by construction should be understood and managed.

The foregoing is submitted in the spirit of timely management of the proposed construction project and its impact on the parties concerned, as expected OEB approval is given to this UNION construction project.

Yours truly,



C. Harold Jackson/Nancy E. Jackson



Ian Goudy and Goudy Farms Inc.

cc: Mark Murray,
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Via E-mail

Dan Jones,
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Via E-mail

View of Road Allowance Impingement on Property
Described as:
Lot 21 (south half), Concession 9, London Township (geographic),
Middlesex County
(Taken from 2004 Survey File No. 04-302-G)

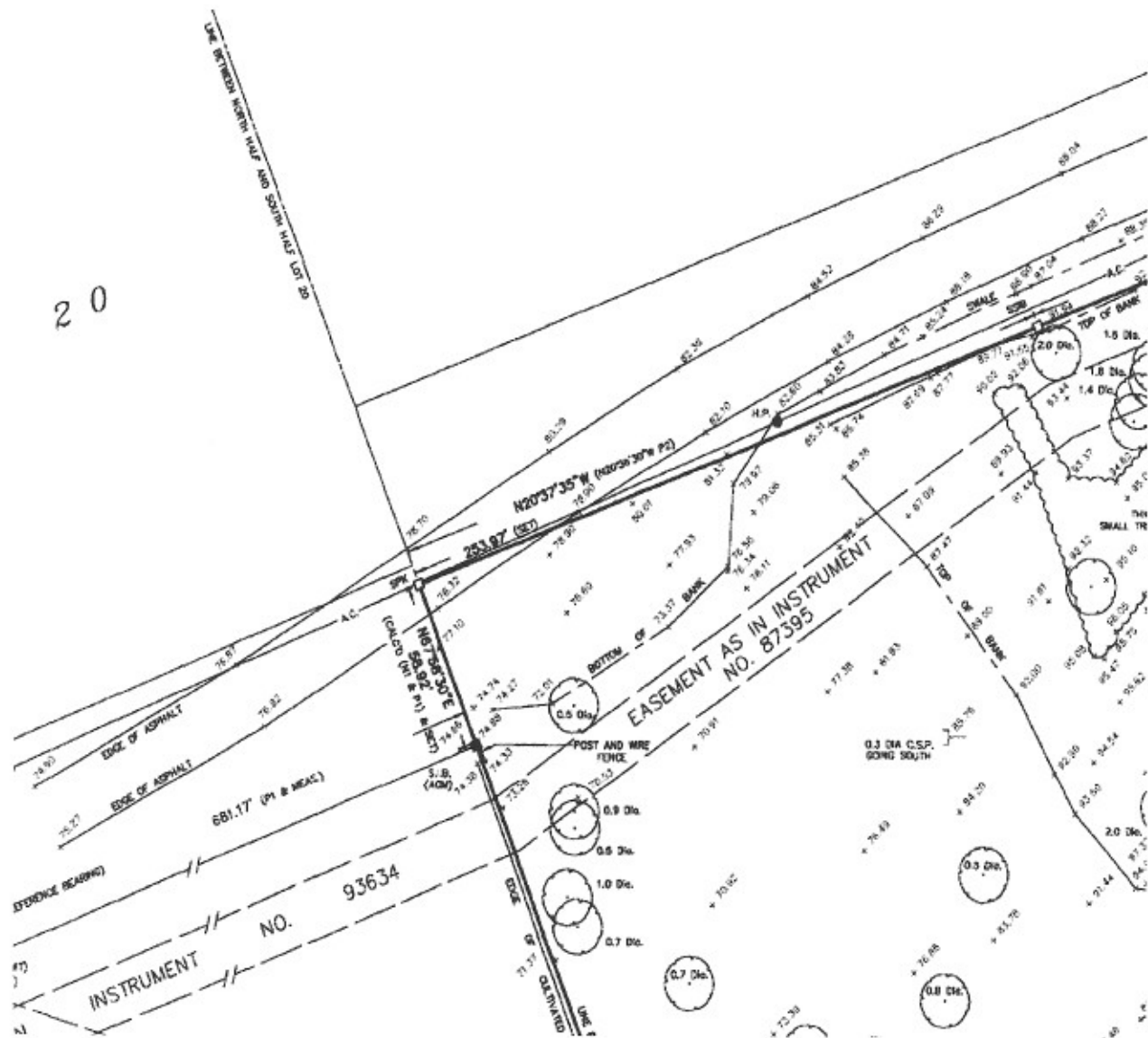


Figure 1