



**EB-2010-0381**

**IN THE MATTER OF** the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B) pursuant to Section 90(1);

**AND IN THE MATTER OF** an application by Union Gas Limited for an Order granting leave to construct a natural gas pipeline and ancillary facilities in the City of London and the Municipality of Middlesex Centre, in the County of Middlesex

### **PROCEDURAL ORDER NO. 3**

Union Gas Limited ("Union" or the "Applicant") filed an application with the Ontario Energy Board on December 17, 2010, under section 90 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, Schedule B for an order granting leave to construct approximately 6.6 kilometres of 8 inch diameter and 0.6 kilometres of 12 inch diameter natural gas pipeline, in the City of London and the Municipality of Middlesex Centre, County of Middlesex. The Board has assigned the application file number EB-2010-0381.

The Board issued a Notice of Application and Hearing on January 12, 2011. The County of Middlesex, the Corporation of the City of London, Ian Goudy of Goudy Farms Inc., Nancy Jackson and C. Harold Jackson applied for intervenor status. No objections were received, and the Board granted these requests.

As per Procedural Order No. 1, Board staff filed written interrogatories on March 16, 2011. None of the intervenors filed written interrogatories. Union filed the responses to Board staff interrogatories on April 1, 2011.

In Procedural Order No. 2, the Board set May 24, 2011 for an oral hearing. The Board also provided dates for filing intervenor evidence, interrogatories on the evidence filed and responses to them.

At the oral hearing the Board panel noted that the County of Middlesex's plan to widen the road in the near future and Union's proposal to lay the pipeline in the current road allowance was primarily a matter of conflict of timing related to sequencing of infrastructure improvements. The Board therefore decided to provide two weeks for the parties to meet in order to make a final attempt to resolve the outstanding issues. Union was asked to provide an update on the status of the negotiation in two weeks.

On June 7, 2011, Union filed a letter informing the Board that it was unable to reach a mutually agreeable solution with the County of Middlesex and requested an expedited argument process.

The Board considers it necessary to make provision for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. Union shall file with the Board its argument-in-chief and deliver it to the intervenors on or before June 14, 2011.
2. Board staff and parties who wish to file written argument shall file it with the Board and deliver it to the Applicant on or before June 21, 2011.
3. Reply argument of the Applicant shall be filed with the Board and served on the intervenors on or before June 24, 2011.

All filings to the Board must quote the file number, EB-2010-0381, be made through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://www.errr.ontarioenergyboard.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.ontarioenergyboard.ca](http://www.ontarioenergyboard.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 or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

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.

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**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
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Toronto ON M4P 1E4  
Attention: Board Secretary

E-mail:  
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**DATED** at Toronto, June 10, 2011

**ONTARIO ENERGY BOARD**

*Original Signed By*

John Pickernell  
Assistant Board Secretary