



EB-2008-0006

**NOTICE OF APPLICATION AND
NOTICE OF WRITTEN HEARING**

**GAS FRANCHISE AGREEMENT
FOR THE SEPARATED TOWN OF PRESCOTT**

Union Gas Limited (the “Applicant” or “Union”) has filed an application dated January 11, 2008 with the Ontario Energy Board (the “Board”) under section 9 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the “Act”), for an order of the Board approving the terms and conditions upon which and the period for which the Corporation of the Separated Town of Prescott (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 Separated Town of Prescott (the “Municipality”). 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-2008-0006 to this matter.

Union has a Franchise Agreement with the Corporation (E.B.A. 275) which expired January 9, 2008. Union also has a Certificate of Public Convenience and Necessity (F.B.C. 47) granting Union the right to construct works to supply natural gas within the Municipality.

The application will be decided by the Manager, Facilities Applications, who has been delegated this authority pursuant to section 6 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15 (Schedule B). The Manager, Facilities Applications does not intend to provide for an award of costs when deciding this application.

Copies of the application and pre-filed evidence will be available for public inspection at the Board’s offices, the Applicant’s offices, and at the office of the Corporation at the addresses indicated below.

The Board intends to proceed with the application by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written 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 objecting to a written hearing must be received by the Board within **7 days** of the publication date of this Notice.

If you wish to participate in the written hearing, you must forward three copies of your written submissions to the Board Secretary and one copy to the applicant at the addresses below. All submissions must be received no later than **14 days** after the publication date of this Notice. If the Applicant wishes to respond to the written submissions, such response must be received by the Board no later than **21 days** after the publication date of this Notice. All submissions must quote file no. EB-2008-0006, clearly state the sender's name and address, and be received by the Board Secretary by 4:45 p.m. on the required dates.

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

(for viewing of copies of application)

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

Attn: Ms. Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

**Union Gas Limited
(Head Office)**
50 Keil Drive North
Chatham ON N7M 5M1

Attn: Mr. Patrick McMahon
Manager, Regulatory
Research and Records

Tel: 519-436-5325
Fax: 519-436-4641

**Corporation of the Separated
Town of Prescott**
360 Dibble St. W.
Prescott ON K0E 1T0

Attn. Mr. Robert Haller
CAO/Clerk

Tel: 613-925-2812
Fax: 613-925-4381

**Union Gas Limited
(District Office)**
520 Gardiners Road, Box 1087
Kingston ON K7L 4Y6

Attn. Mr. Danny Watson
Operations Manager

Tel: 613-389-7006 Ext. 247
Fax: 613-634-4543

DATED at Toronto, January 25, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary