



EB-2011-0345

NOTICE OF APPLICATION AND WRITTEN HEARING

GAS FRANCHISE APPROVAL FOR THE TOWN OF NEWMARKET

Enbridge Gas Distribution Inc.(the "Applicant") filed an application dated September 13, 2011 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 Town of Newmarket (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 Town of Newmarket (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-2011-0345 to the franchise renewal application.

The Applicant has a franchise agreement with the Corporation of the Town of Newmarket which expires on October 18, 2011.

The Applicant also holds a Certificate of Public Convenience and Necessity for the geographical area of the Corporation (F.B.C. 79).

This application will be decided by the Manager, Natural Gas 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, Natural Gas 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 may make a written submission that is received by the Board no later than **14 days** after the publication date of this Notice, with a copy to the Applicant, at the addresses below. 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 be received by the Board Secretary by **4:45 p.m.** on the required dates.

Before placing a written submission on the public record, the Board will remove any personal (i.e., not business) contact information from the document (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 submission will become part of the public record. All filings to the Board must quote file number **EB-2011-0345** and consist of two paper copies as well as one electronic copy in searchable / unrestricted PDF format filed through the Board's web portal at www.errr.ontarioenergyboard.ca. Filings must clearly state the sender's name, postal address and telephone number and, if available, a fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found on the "e-Filing Services" webpage of the Board's website at www.ontarioenergyboard.ca. If the web portal is not available, you may e-mail your document to Boardsec@ontarioenergyboard.ca. 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 cannot provide an electronic version of their filing are required to file 7 paper copies.

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 the application)

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

Enbridge Gas Distribution Inc. (Head Office)
500 Consumers' Road
Toronto, ON M2J 1P8

Attn: Tania Persad
Senior Legal Counsel, Regulatory

Tel: 416-495-5499 or 1-888-659-0685
Fax: 416-495-6072
Email: EGDRegulatoryProceedings@Enbridge.com

Corporation of the Town of Newmarket
P.O. Box 328, 395 Mulock Drive
Newmarket, ON L3Y 4V7

Attn. Anita Moore
Town Clerk

Tel: 905-895-5193
Fax: 905-953-5100

Enbridge Gas Distribution Inc. (Regional Office)
93 Edward Street.
Richmond Hill, ON L4C 5E5

Attn: Steve McGivery
Operations Manager – Central Region
East

Tel: 905-883-3316

DATED at Toronto, September 28, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary