



EB-2012-0226
EB-2012-0227

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

AND IN THE MATTER OF an Application by Union Gas
Limited for an Order pursuant to Section 90 of the *Ontario
Energy Board Act, 1998*, granting leave to construct
natural gas pipelines in the City of Thunder Bay and
Gorham Township, in the District of Thunder Bay;

AND IN THE MATTER OF an Application by Union Gas
Limited for a Certificate of Public Convenience and
Necessity to construct works to supply gas to the
inhabitants of Gorham Township.

PROCEDURAL ORDER NO. 1
August 9, 2012

Union Gas Limited; (the "Applicant" or "Union") filed two applications with the Ontario Energy Board (the "Board") on April 30, 2012 requesting, 1) a leave to construct a natural gas pipeline and ancillary facilities and, 2) a Certificate of Public Convenience and Necessity ("CPCN") for Gorham Township. The applications were filed together. The Board has assigned the leave to construct application file number EB-2012-0226. and has assigned file number EB-2012-0227 to the CPCN application. Union is proposing to commence construction of the proposed pipeline in May 2013. The planned in-service date is November 2013.

The Board issued a Notice of Application ("Notice") for both applications on June 5, 2012. Union served and published the Notice as directed by the Board.

On July 3, 2012, Thunder Bay Terminals Limited ("TBTL") requested late intervenor status explaining that the delivery of the Notice was delayed. TBTL is a directly affected landowner also asked to be eligible for cost award eligibility consideration. The Board

grants TBTL intervenor status and cost award eligibility status, subject to Union's right to object within 14 calendar days of the date of this procedural order. An Intervener List is attached as Appendix "A" to this Procedural Order.

Observer status was requested by Mr. Rob Morgan, the Gorham Local Roads Board, the Canadian Pacific Railway Company, and the City of Thunder Bay. The Board grants observer status to all of these persons.

On July 11, 2012, the Board received a letter of comment from Mr. Ronald Feden, a directly affected landowner. This letter of comment forms part of the public record and will be considered by the Board in making its decision on Union's applications.

No party requested an oral hearing. The Board has decided that these applications will proceed by way of a written hearing in accordance with the procedural schedule set in this procedural order.

At this time the Board considers it necessary to make provision for the following procedural matters. Please be aware that this procedural order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Board staff and TBTL may request information and material from Union that is in addition to the evidence filed with the Board, and that is relevant to the hearing, by written interrogatories filed with the Board and delivered to on or before **August 23, 2012**.
2. Union shall file with the Board complete responses to the interrogatories no later than **September 6, 2012**.
3. TBTL and Board Staff may make a written submission on the application and file such submission with the Board, and deliver it to Union by **September 20, 2012**.
4. Union may reply to any submissions by filing a reply submission with the Board on or before **September 28, 2012**.

All filings to the Board must quote file numbers **EB-2012-0226** and **EB-2012-0227** be made through the Board's web portal at, <https://www.pes.ontarioenergyboard.ca/eservice/>, 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. If the web portal is not available you may email your document to the 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 do not have computer access are required to file seven paper copies. If you have submitted through the Board's web portal an e-mail is not required.

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.

DATED at Toronto, August 9, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix 'A'

To

Procedural Order No. 1

Union Gas Limited

EB-2012-0226/0227

Applicant and List of Intervenors

August 9, 2012

**Union Gas Limited
EB-2012-0226**

APPLICANT & LIST OF INTERVENORS

August-09-12

APPLICANT

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INTERVENORS

Rep. and Address for Service

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**Union Gas Limited
EB-2012-0226**

APPLICANT & LIST OF INTERVENORS

August-09-12

**Thunder Bay Terminals
Limited**

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