

ONTARIO ENERGY BOARD

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 Integrated Grain Processors Co-operative Inc. for an Order against Natural Resource Gas Ltd. pursuant to Section 42(3) of the *Ontario Energy Board Act 1998*, S.O. 1998.

AFFIDAVIT OF SERVICE

I, **CAROL THOMAS**, of the Town of Aurora, in the Regional Municipality of York, MAKE OATH AND SAY AS FOLLOWS:

1. Pursuant to a Letter of Direction issued by the Ontario Energy Board ("**Board**") in the above-noted proceeding on February 11, 2013, I served Natural Resource Gas Limited, Union Gas Limited, and Intervenors in EB-2010-0018 with the attached Notice of Application and Written Hearing issued by Board on the same date, by sending an electronic true copy of same to the said parties via email on February 11, 2013, at their respective email addresses, as follows:

Party	Contact	Email Address
Natural Resource Gas Limited	Mr. Jack Howley General Manager	howley@nrgas.on.ca
Natural Resource Gas Limited	Laurie Omeara	laurie.omeara@cpirentals.com
Natural Resource Gas Limited	Richard King, Ogilvy Renault LLP, Counsel	rking@ogilvyrenault.com
Union Gas Limited	Patrick McMahon, Manager Regulatory Research and Records	pmcmahon@uniongas.com
Corporation of the Town of Aylmer		jreynaert@town.aylmer.on.ca

Vulnerable Energy
Consumers Coalition

Michael Buonaguro,
Public Interest Advocacy
Centre

mbuonaguro@piac.ca

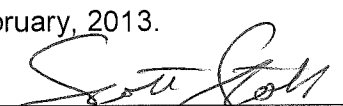
Vulnerable Energy
Consumers Coalition

James Wightman,
Econalysis Consulting
Services Inc.

jwightman@econalysis.ca

2. Attached hereto and marked as Exhibit "A" is a copy of the said email transmission. I verily believe that the email transmission and attachment were successfully received as I did not receive a "not delivered" reply from any of the intended recipients.

SWORN BEFORE ME at the City of
Toronto, Ontario, this 12th day of
February, 2013.


Commissioner for taking affidavits


CAROL THOMAS

Carol Thomas

Subject: FW: IGPC Application EB-2012-0406
Attachments: Notice of Application and Written Hearing_IGPC_EB-2012-0406.pdf

From: Carol Thomas **On Behalf Of** Dennis O'Leary
Sent: February-11-13 5:40 PM
To: 'howley@nrgas.on.ca'
Cc: 'laurie.omeara@cpirentals.com'; 'rking@ogilvyrenault.com'; Scott Stoll; 'pmcmahon@uniongas.com'; 'mbuonaguro@piac.ca'; 'jwightman@econalysis.ca'; 'jreynaert@town.aylmer.on.ca'; Phil Tunley; Dennis O'Leary
Subject: IGPC Application EB-2012-0406

Dear Mr. Howley, Please see the attached Notice of Application and Written Hearing ("Notice") issued by the Ontario Energy Board ("Board") dated February 11, 2013, and cover letter, served upon you pursuant to the Board's Letter of Direction of the same date.

As directed by the Board in its Letter of Direction, a copy of the Notice is also being served herewith upon the Intervenor in EB-2010-0018.

Regards,

Dennis M. O'Leary

T 416.865.4711
F 416.863.1515
E doleary@airdberlis.com

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Suite 1800 • Box 754
Toronto ON • M5J 2T9 • Canada
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AIRD & BERLIS LLP
Barristers and Solicitors

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**THIS IS EXHIBIT "A" TO THE
AFFIDAVIT OF CAROL THOMAS,
SWORN BEFORE ME THIS 12TH DAY
OF FEBRUARY, 2013.**

A Commissioner, etc.

AIRD & BERLIS LLP

Barristers and Solicitors

Dennis M. O'Leary
Direct: 416.865.4711
E-mail: doleary@airdberlis.com

February 11, 2013

VIA EMAIL

Mr. Jack Howley
General Manager
Natural Resource Gas Limited
39 Beech Street
P.O. Box 307
Aylmer, ON N5H 2S1

Dear Mr. Howley:

**Re: Application by Integrated Grain Processors Co-operative Inc.
Board File No. EB-2012-0406**

We are counsel to Integrated Grain Processors Co-operative Inc. ("IGPC").

We attach a copy of a Notice of Application and Written Hearing, dated February 11, 2013, issued by the Ontario Energy Board ("**Board**") in the above-noted proceeding, which is served upon you pursuant to the Board's Letter of Direction of the same date.

Yours truly,

AIRD & BERLIS LLP



Dennis M. O'Leary

DMO:ct
Enclosure

Copy to Intervenors in EB-2010-0018

Union Gas Limited
Corporation of the Town of Aylmer
Vulnerable Energy Consumers Coalition
14069542.1



EB-2012-0406

NOTICE OF APPLICATION AND WRITTEN HEARING

INTEGRATED GRAIN PROCESSORS CO-OPERATIVE INC. REQUEST FOR ORDER AGAINST NATURAL RESOURCE GAS LTD. PURSUANT TO SECTION 42(3) OF THE *ONTARIO ENERGY BOARD ACT, 1998*

Integrated Grain Processors Co-operative Inc. ("IGPC") filed an application on October 11, 2012 with the Ontario Energy Board (the "Board") seeking, amongst other things, an order pursuant to section 42(3) of the Ontario Energy Board Act, 1998 (the "Act") requiring NRG to provide gas distribution services and gas sales to meet IGPC's facility expansion and upgrading plans. The application also sought various other forms of relief; however this notice relates only to the section 42(3) issues identified in the application.

IGPC alleges that NRG has refused to discuss IGPC's potential need for additional gas distribution service and gas sales until certain unrelated issues between IGPC and NRG are resolved. IGPC alleges this conduct is prohibited by section 42(2) of the Act.

Copies of the application and the supporting written evidence are available for inspection at the Board's office at the address listed below.

How to see IGPC's Application

To see a copy of the application, go to the Consumer page of the Board's website (www.ontarioenergyboard.ca) and enter the case number EB-2012-0406 in the "Find an Application" box. A copy can also be seen at the Board's office and at the applicant's office at the addresses indicated below, or on the applicant's website www.igpc.ca.

Written Hearing

The Board intends to proceed with this matter 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 a written hearing, you must provide written reasons why you believe an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this notice.

How to Participate**Comment**

If you wish to give your opinion on the proceeding to the Board Members hearing the application, you are invited to send a written letter of comment to the Board no later than **30 days** after the publication or service date of this notice. A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel.

Observe

If you do not wish to actively participate in the proceeding but you do wish to receive documents issued by the Board, you may request observer status. Your written request must be received by the Board no later than **10 days** from the publication or service date of this notice.

Personal Information in Letters of Comment and Observer Requests

All letters of comment or letters requesting observer status will be placed on the public record, which means that the letters can be seen at the Board's office and will be available on the Board's website. Before placing the letters on the public record, the Board will remove any personal (i.e. not business) contact information from the letters (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 letter will become part of the public record. Please address your letter to the Board Secretary at the address below, and reference file number EB-2012-0406 at the top of your letter.

Intervene

If you wish to actively participate in the proceeding (e.g., submit questions, file argument), you may request intervenor status from the Board no later than **10 days** after the publication or service date of this notice. Instructions for requesting intervenor status are available on the Board's website at www.ontarioenergyboard.ca/participate. Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which can be seen at the Board's office and will be available on the Board's website.

If you do not have internet access, please call 1-877-632-2727 to receive information about this proceeding and how to participate.

IMPORTANT

IF YOU DO NOT FILE A WRITTEN OBJECTION TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDING.

ADDRESSES

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings:

<https://www.errr.ontarioenergyboard.ca>

E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

Integrated Grain Processors
Co-operative Inc
P.O. Box 205
89 Progress Drive
Aylmer ON N5H 2R9
Attn: Mr. Jim Grey

E-mail : jgrey@igpc.ca
Tel: 519-765-2575 Ext. 228
Fax: 519-765-2775

Counsel for Applicant:
Dennis M. O'Leary
Aird & Berlis LLP
Barristers and Solicitors
Brookfield Place, 181 Bay Street
Suite 1800
Toronto ON M5J 2T9

Tel: 416-865-4711
Fax: 416-863-1515

DATED at Toronto, February 11, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary