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**File: 13062**

March 21, 2013

**By email ([boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca))**

Ms. Kirsten Walli, Board Secretary  
Ontario Energy Board  
PO Box 2319, 2300 Yonge Street, 27th Floor  
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited ("Union")  
EB-2012-0433 – Parkway West Leave to Construct  
Intervenor Request of Frontenac Forest Estates Inc.**

We are legal counsel to Frontenac Forest Estates Inc. with respect to the above-noted application by Union Gas. Pursuant to the Ontario Energy Board's ("Board") Notice of Application, enclosed please find the request for Intervenor status respectfully made on behalf of our client. The request for Intervenor Status has not been submitted through the Board's Regulatory Electronic Submission System (RESS) since the author of this letter did not have a user name and password at this time. Thank you for your kind consideration of this request.

Yours very truly,

Ira T. Kagan  
Encl.

cc. Frontenac Forest Estates Inc.  
Karen Hockin, Union Gas (via email to [khockin@uniongas.com](mailto:khockin@uniongas.com))  
Crawford Smith, Counsel, Union Gas (via email to [csmith@torys.com](mailto:csmith@torys.com))

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF The Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B, and in particular, S. 36 thereof;**

**AND IN THE MATTER OF The Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B, and in particular, S.90.(1) thereof;**

**AND IN THE MATTER OF The Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B, and in particular, S.91 thereof**

**AND IN THE MATTER OF an Application by Union Gas Limited for an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Parkway West site;**

**AND IN THE MATTER OF an Application by Union Gas Limited for an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Town of Milton.**

**NOTICE OF INTERVENTION OF FRONTENAC FOREST ESTATES INC. ("Frontenac")**

**DATED: March 21, 2013**

**Mr. Ira T. Kagan  
KAGAN SHASTRI LLP  
188 Avenue Road  
Toronto, Ontario, M5R 2J1**

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1. Frontenac hereby respectfully requests intervenor status in the above-noted proceeding.
2. Union Gas Limited (“Union”) has filed an application with the Ontario Energy Board for an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Parkway West site and an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Town of Milton.
3. Frontenac’s request for intervenor status is in respect of the development of the proposed pipeline and ancillary facilities. Frontenac does not intend to take any position with respect to the request for pre-approval of the recovery of the cost consequences of the facilities.
4. Frontenac is the owner of nearly 200 acres of lands immediately west of Union’s proposed facilities, in the Town of Milton. Frontenac’s lands are located on the west side of 8<sup>th</sup> Line, on the south side of Derry Road and on the east side of Trafalgar Road. Frontenac’s lands have been planned for residential development and largely vacant at this time.
5. Frontenac wishes to ensure that Union’s proposed facilities, if approved, would be compatible with Frontenac’s future residential development. Frontenac also wishes to ensure that Union’s facility employs appropriate on-site mitigation which resolves all land use compatibility issues with the future residential uses on the Frontenac lands.
6. Frontenac, through its related companies, has a history of participating in land use compatibility issues in administrative tribunal. Frontenac has probative and valuable information to add to the within proceeding through expert witnesses. Frontenac believes that this tribunal would be better served through the information Frontenac would provide. Frontenac reserves the right to request an oral hearing, to be heard in English, to appear by or with counsel of its choice, to cross-examine on the subject matters in this hearing that relate to its interests, to adduce evidence on specific matters that are relevant to its interests in this matter and to present argument. Frontenac intends to participate in all aspects of the proceeding as it relates to the land use compatibility issue.
7. Pursuant to s. 3.06 of the Board’s Practice Direction on Cost Awards, Frontenac respectfully submits that it is premature to determine if it will seek an award of costs

from Union at this time and reserves the right to do so at a later date.

8. Frontenac respectfully requests that Union, the Board and all other intervenors provide Frontenac with copies of all of their evidence (as it relates to the issue of the approval of the facilities and not with respect to the pre-approval for the recovery of the costs consequences of the facility) and any notices provided. The requested information can be emailed or mailed to Mr. Ira T. Kagan, KAGAN SHASTRI LLP, 188 Avenue Road, Toronto, Ontario, M5R 2J1, [ikagan@ksllp.ca](mailto:ikagan@ksllp.ca).

**ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS**

**21<sup>st</sup> day of March, 2013**

A handwritten signature in cursive script that reads "Ira Kagan".

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**Ira T. Kagan  
KAGAN SHASTRI LLP  
Counsel to Frontenac Forest Estates Inc.**