



EB-2006-0258

**APPLICATION BY UNION GAS LIMITED FOR
AUTHORITY TO EXPROPRIATE CERTAIN LAND RIGHTS FOR THE PURPOSE OF
CONSTRUCTING A PIPELINE FOR THE TRANSMISSION OF NATURAL GAS**

NOTICE OF APPLICATION

Union Gas Limited ("Union" or the "Applicant") has filed an application, dated October 19, 2006, with the Ontario Energy Board (the "Board") under section 99 of the *Ontario Energy Board Act*, 1998, for approval to expropriate lands. On June 12, 2005 Union was granted an order of the Board (file number EB-2005-0550) for leave to construct a natural gas pipeline along with associated facilities. The pipeline consists of the construction of 18.1 kilometres of 48 inch diameter steel natural gas pipeline within the County of Middlesex. The construction of the proposed pipeline will allow Union to increase the capacity of the Trafalgar gas transmission system to meet the increasing gas requirements for current and future customers.

The approved pipeline will proceed from the existing Strathroy Gate Station, located in Lot 9, Concession IX, Township of Strathroy-Caradoc to the existing Lobo Station, located in Lot 14, Concession VII, Township of Middlesex Centre, all in the County of Middlesex. At the time of filing this application Union has been unable to acquire the necessary easement rights on lands owned by S. F. Ladell and A. Ladell. Union is now seeking the approval of the Board to expropriate permanent and temporary working easement rights on the land of S. F. Ladell and A. Ladell in the Township of Strathroy-Caradoc, County of Middlesex. A description of the lands and a reference plan of survey which identifies the lands are attached to Union's application and attached as Appendix "A".

This is an application for an authority to expropriate land for the purpose of a natural gas pipeline, not an application dealing with compensation. The Board may, if it is of the opinion that it is in the public interest, grant the authority to expropriate the land.

However, the Board does not have the authority to determine the amount of compensation payable. If the authority to expropriate is granted and the parties do not agree upon compensation, the amount shall be determined under the *Expropriations Act*.

How to Participate

If you have an interest in any of the lands which are the subject matter of this application you may become intervenor in this proceeding. If you wish to participate in this proceeding you must send a letter of intervention to the Board Secretary within **10 calendar days** of the receipt of this Notice. Information on how to participate may be obtained by calling the Board's Customer Service Centre toll free at 1-877-632-2727, by email to Boardsec@oeb.gov.on.ca or from the frequently asked questions (FAQ) section of the Board's web site at www.oeb.gov.on.ca. A copy of your submission must also be sent to the applicant.

The Board may proceed in this matter by way of written hearing or oral hearing. However, the Board will not hold a written hearing if a party satisfies the Board that there is a good reason to hold an oral hearing. If you wish to make a submission regarding whether the hearing should be oral or written, you must make this submission to the Board Secretary within **10 calendar days** of the receipt of this notice or as part of your letter of intervention.

Procedural orders as to how the matter will proceed may be issued by the Board from time to time, and copies of any procedural orders will be sent to Union and all the intervenors and observers in the proceeding.

ADDRESSES

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

Attention: Kirsten Walli
Board Secretary

Tel: 1-888-632-6273
Fax: 416-440-7656
Email: BoardSec@oeb.gov.on.ca

Counsel for the Applicant
Blake, Cassels & Graydon LLP
Box 25, Commerce Court West
199 Bay Street
Toronto ON M5L 1A9

Attention: Gerald S. Swinkin

Tel: 416-863-5845
Fax: 416-863-2653
Email: Gerald.swinkin@blakes.com

Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1

Attention: William T. Wachsmuth
Administrator Regulatory Projects

Tel: 519-436-5457
Fax: 519-436-4641
Email: bwachsmuth@duke-energy.com

DATED at Toronto, November 2, 2006

ONTARIO ENERGY BOARD

Original signed by

Peter O'Dell
Assistant Board Secretary

Appendix “A”

EB-2006-0258

Application and Survey

Schedule 11

Owner

Scott Frank Ladell and Angela Ladell, as joint tenants

Part Lot 5, Concession 7, Geographic Township of Lobo
Township of Middlesex Centre, County of Middlesex

Easement Rights Required by Expropriation

Permanent Easement rights required through Parts 1 and 2
Monteith and Sutherland Plan File No. F-5530-5E

Temporary Easement rights required through Parts 3 to 7, both inclusive
Monteith and Sutherland Plan File No. F-5530-5E

Land Registry Office Parcel Reference

PIN Parcel 09658-0014

Encumbrances

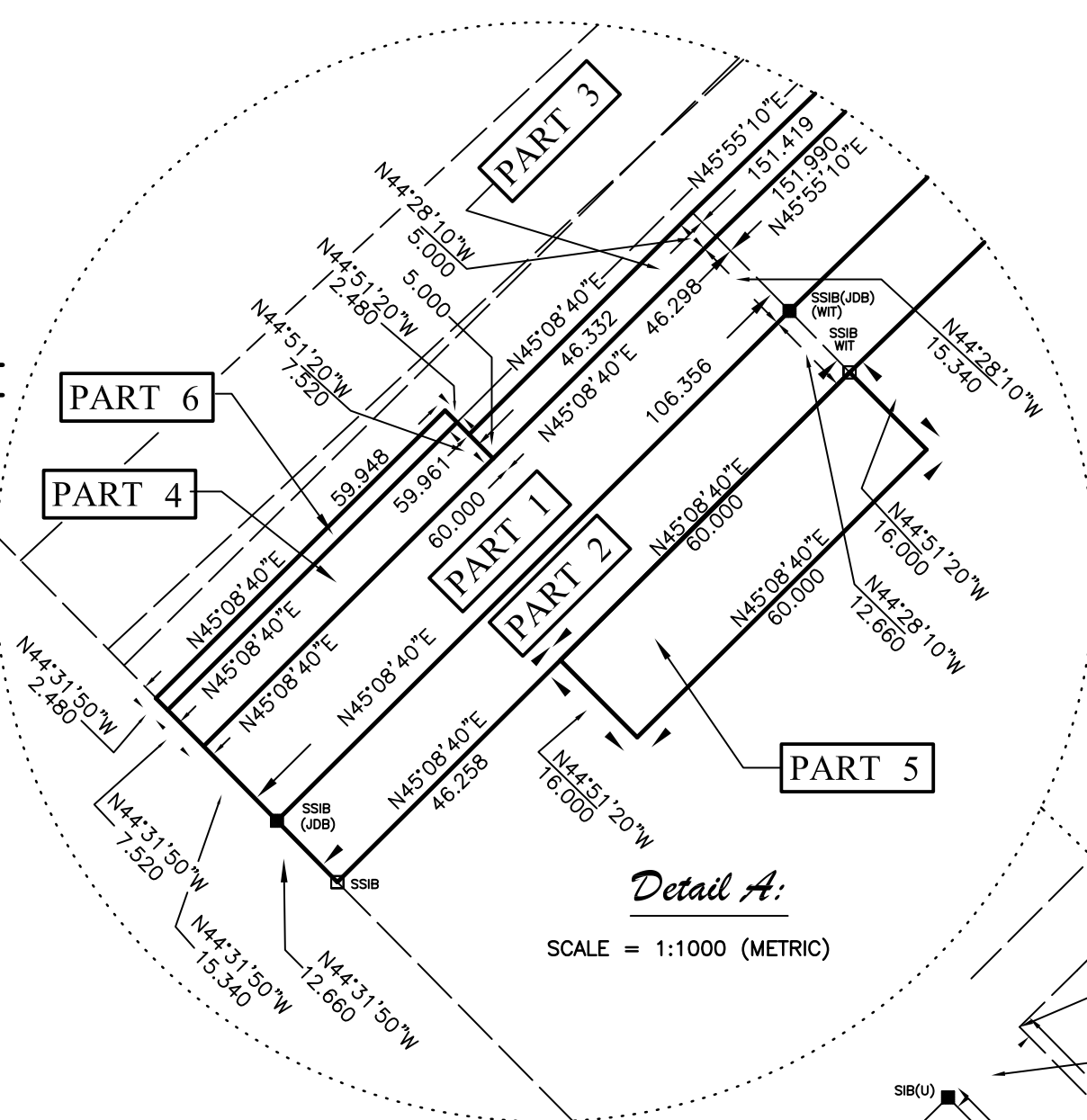
The Bank of Nova Scotia
Charge by Instrument No. ER 269351

Address for Service: P.O. Box 607, London, ON N6A 4Y5

Ray Donald Kettlewell
Lessee by Instrument No. 675034

Address for Service: 167 Burns Street, Strathroy, ON

PART OF LOT 5
CONCESSION 7
GEOGRAPHIC TOWNSHIP OF LOBO
TOWNSHIP OF MIDDLESEX-CENTRE
COUNTY OF MIDDLESEX
MONTEITH & SUTHERLAND LIMITED



BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM MINISTRY OF NATURAL RESOURCES CONTROL MONUMENTS
01019820501 (N 4761394.258, E 4568970.367)
00819880215 (N 4761049.541, E 4611011.110)
BASED ON THE ONTARIO 6° UNIVERSAL TRANSVERSE MERCATOR COORDINATE SYSTEM (NAD83 ADJUSTMENT) BEING IN ZONE 17 AND HAVING A CENTRAL MERIDIAN OF 81° WEST

DISTANCES SHOWN ON THIS PLAN ARE GROUND LEVEL DISTANCES AND CAN BE USED TO COMPUTE GRID LEVEL DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99959.

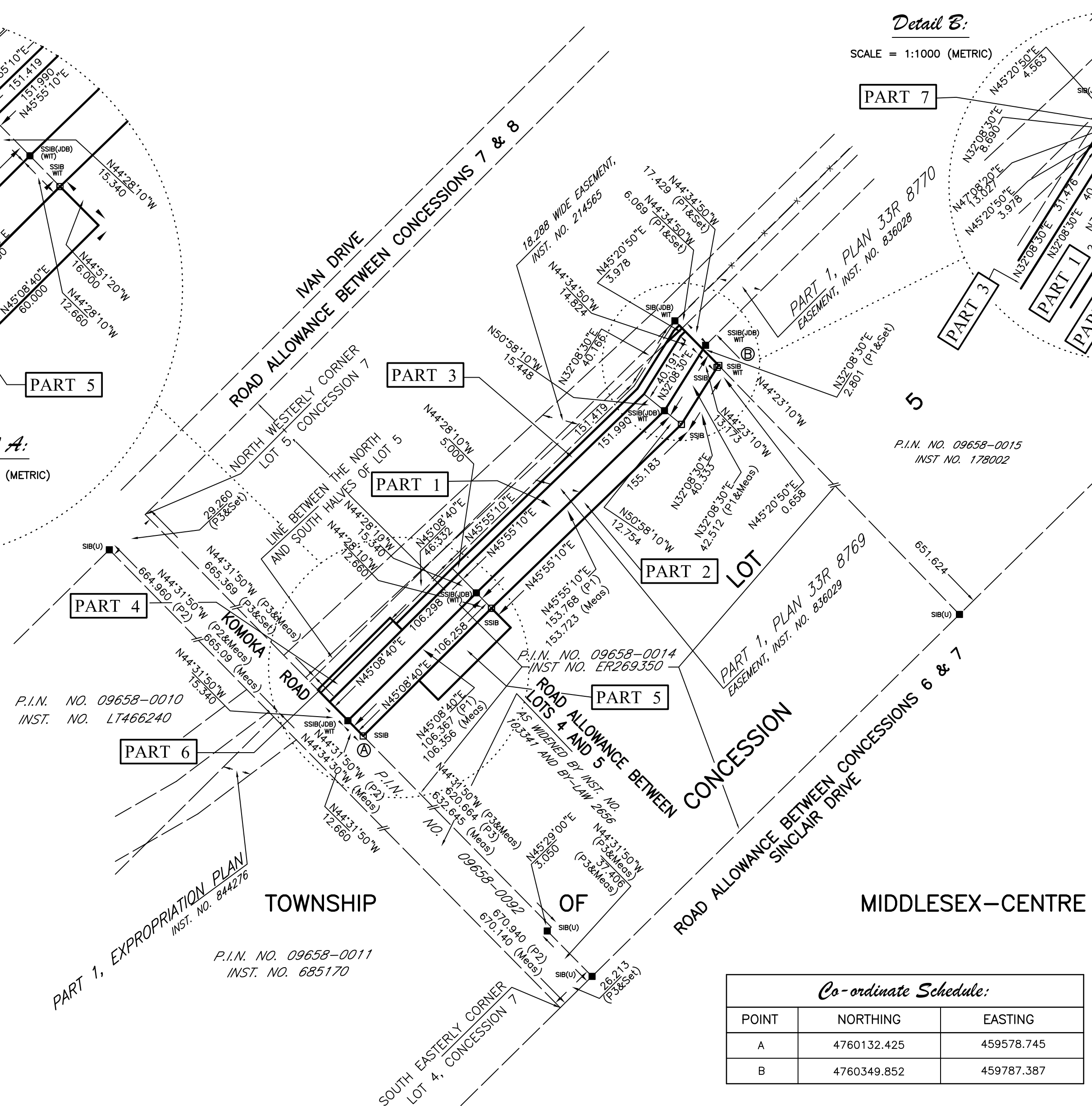
■	DENOTES SURVEY MONUMENT FOUND
SUR	DENOTES SURVEY MONUMENT SET AND MARKED MS
S8B	DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR
S8B	DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR
IB	DENOTES 16mm X 16mm X 0.61m IRON BAR
IB Ø	DENOTES 19mm diameter X 0.61m ROUND IRON BAR
Wt.	DENOTES WITNESS
(W)	DENOTES MONETH & SUTHERLAND LTD., O.L.S.
(J02)	DENOTES J. D. BARNES LTD., O.L.S.
U	DENOTES ORIGIN UNKNOWN
(P1)	DENOTES PLAN 33R 8769

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 5th DAY OF JUNE, 2006.

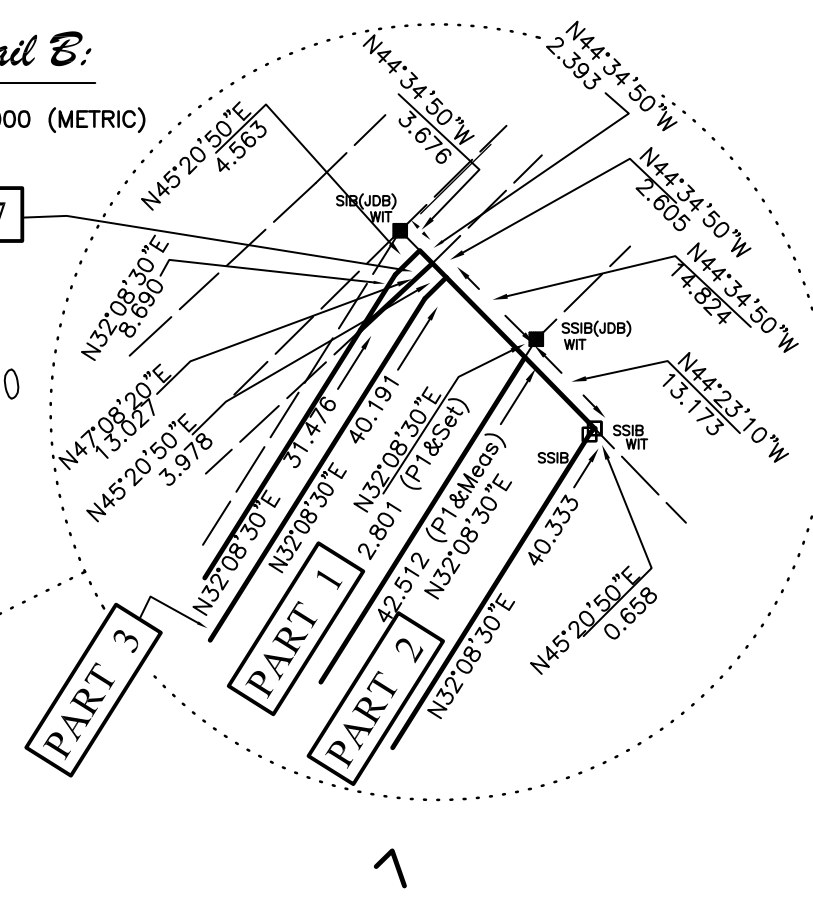
DATE _____

MALCOLM R. ELMS
ONTARIO LAND SURVEYOR
MONTEITH & SUTHERLAND LIMITED



<i>Co-ordinate Schedule:</i>		
POINT	NORTHING	EASTING
A	4760132.425	459578.745
B	4760349.852	459787.387

SCALE = 1:1000 (METRIC)

[illegible]

PARTS 1 AND 2 SHOW LAND REQUIRED BY UNION GAS LIMITED IN ACCORDANCE WITH THE ONTARIO ENERGY BOARD ACT, 1998, S.O. 1998, c.15 PURSUANT TO ORDER OF THE ONTARIO ENERGY BOARD, NO. 100, DATED THE 1ST DAY OF _____, 2006, AND THE EXPROPRIATIONS ACT, R.S.O. 1990, c.626, WHICH ARE REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF MIDDLESEX (No. 33) AS INSTRUMENT No. _____.

ONLY A LIMITED ESTATE, RIGHT OR INTEREST IS TAKEN IN THE LAND AS PER THE ABOVE DEFINITION WHICH FORMS PART OF THIS PLAN.

IN TEMPORARY RIGHT, LIBERTY AND EASEMENT TO AND ON, OVER, ALONG, UNDER AND THROUGH LAND SHOWN AS PLOTS 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836,

PARTS 3, 4, 5, 6, AND 7 SHOWS LAND REQUIRED BY UNION GAS LIMITED IN ACCORDANCE WITH THE ONTARIO ENERGY BOARD ACT, 1998, S.O. 1998, c.15 PURSUANT TO ORDER OF THE ONTARIO ENERGY BOARD NO. _____ DATED THE _____ DAY OF _____ 2006, AND THE EXPROPRIATIONS ACT, R.S.O. 1990, c.E.26, WHICH WAS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF MIDDLESEX (No. 33) AS INSTRUMENT No. _____.

ONLY A LIMITED ESTATE, RIGHT OR INTEREST IS TAKEN IN THE LAND AS PER THE ABOVE DEFINITION WHICH FORMS PART OF THIS PLAN.

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF MIDDLESEX (No.33) AT _____
O'CLOCK ON THE ____ DAY OF _____, 2006, AND ENTERED IN THE
PARCEL REGISTER FOR PROPERTY IDENTIFIER NUMBER _____

PART	LOT	CONCESSION	P.I.N. NO.	INST. NO.	AREA
1	PART OF 5	7	09E58-0014	ER269350	0.4640 Ha
2	PART OF 5	7	09E58-0014	ER269350	0.3830 Ha
3	PART OF 5	7	09E58-0014	ER269350	0.1192 Ha
4	PART OF 5	7	09E58-0014	ER269350	0.0451 Ha
5	PART OF 5	7	09E58-0014	ER269350	0.0960 Ha
6	PART OF 5	7	09E58-0014	ER269350	0.0149 Ha
7	PART OF 5	7	09E58-0014	ER269350	0.0020 Ha

- * PARTS 1, 2, 3, 4, 5, 6 AND 7 COMPRISE PART OF P.I.N. NO. 09658-0014
- * PARTS 1, 3, 4 AND 7 SUBJECT TO EASEMENT, INST. NO. 836029
- * PART 7 SUBJECT TO EASEMENT, INST. NO. 214565

Metric DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



453 N. Christina Street
Sarnia, Ontario N7T 5W3
Tel.: (519) 336-1071

Ontario Land Surveyors • Professional Engineers • Aerial Surveying • Mapping

DRAWN BY: L.M.W./E.A.G.	FILE NO.: MI-99(D)
CHECKED BY: M.R.E.	
CAD DATE: 12/OCT/2006 9:09AM	PLAN FILE NO.: F-5530-5E