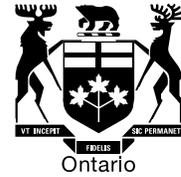


Ontario Energy Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'énergie de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



August 21, 2013

Mr. Achiel Kimpe
P.O. Box 2
Corruna, ON N0N 1G0

Dear Mr.Kimpe:

Re: Decision on Motion to Review and Vary Decision and Order EB-2012-0314
(Board File No. EB-2013-0073)

We acknowledge receipt of your letter dated August 6, 2013. In your letter you raised two issues. First, you asked for a signed copy of Board's Decision in EB-2013-0073. Please note that it is perfectly appropriate for the Board to issue Decision's which note that the original was signed by the various Board members who decided the matter. Nevertheless, in response to your request, please find enclosed a copy of the signed Decision on the Motion to Review and Vary the original Decision of the Panel in EB-2012-0314. The second issue raised is your dissatisfaction with the Board's Decision. You state that you remain an expropriated landowner who has not been compensated for residual cushion gas to 0 psia.

This matter has been decided by the Board. You filed a motion to review that decision. The Board determined in EB 2013-0073 that you failed to demonstrate that the factual findings of Decision EB-2012-0314 contain errors. Further, the Board found that you had failed to demonstrate that the original findings are contrary to the evidence that was before the Panel, that the Panel failed to address a material issue, that the Panel made inconsistent findings, or that there has been a change in circumstance or that new facts have arisen.

In your letter you have asked that we set out what sections of the *Ontario Energy Board Act, 1998* or the Board's *Rules of Practice and Procedure* provide the authority to take this matter forward. You have already filed a Motion to Review under Rule 42.01 of the Board's Rules and you were unsuccessful. There is no further appeal to the Board. Section 33 of the Act provides for an appeal of an order of the Board to the Divisional Court

Yours truly,

Original Signed By

Kristen Walli
Board Secretary

cc. Mr. William Wachsmuth, Union Gas Limited