

January 15, 2015

RESS, EMAIL & COURIER

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

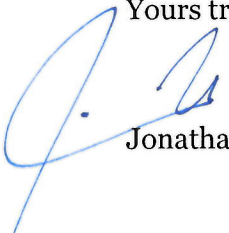
Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

Re: Union Gas Limited - Application for Authority to Expropriate (EB-2014-0335) - Applicant Responses to Interrogatories

We are counsel to Union Gas Limited (“Union”), applicant in the above-referenced proceeding. Enclosed are Union’s responses to interrogatories filed by the Ministry of the Attorney General through its Civil Remedies for Illicit Activities Office. Neither Board staff nor any other intervenor filed interrogatories in this proceeding.

Yours truly,



Jonathan Myers

cc: Mr. M. Murray, Union Gas
Mr. C. Smith, Torys
Intervenors

UNION GAS LIMITED

Answer to Interrogatory from
Ministry of the Attorney General - CRIA Office

1. CRIA requests that it be provided with copies of all materials and documentation previously filed and issued in connection with this proceeding, as well as all materials and documentation that may be filed and issued in connection with this proceeding in the future.

Response:

All materials previously filed in the proceeding are available through the Board's electronic filing system, RESS, which can be accessed through the following link:

http://www.rds.ontarioenergyboard.ca/webdrawer/webdrawer.dll/webdrawer/search/rec&sm_udf10=eb-2014-0335&sortd1=rs_dateregistered&rows=200

As an intervenor in the proceeding, the Ministry of the Attorney General's CRIA Office will be served with materials that may in future be filed in connection with the proceeding, consistent with the Board's requirements.

UNION GAS LIMITED

Answer to Interrogatory from
Ministry of the Attorney General - CRIA Office

2. Is Union in possession of an appraisal and/or any other valuation of the interest to be expropriated in respect of the property municipally known as [REDACTED] (the "Property"), the registered owners of which is Manuel & Valentina Fagundes?

Response:

This question is not relevant to the proceeding. As indicated by the Board in both the Notice of Application and Procedural Orders No. 1 and 2, matters relating to compensation for the expropriated interests are not determined by the Board. Rather, compensation is determined under the *Expropriations Act* (the "Act") or by the Ontario Municipal Board under the Act through processes that commence only after the Board grants authority to expropriate. That process under the Act contemplates the preparation of an appraisal. Accordingly, Union is not in possession of such an appraisal.

UNION GAS LIMITED

Answer to Interrogatory from
Ministry of the Attorney General - CRIA Office

3. Union previously proposed that any compensation to be paid in connection with the pipeline easement at the Property, whether such compensation is payable pursuant to the *Expropriation Act* (the "Act") or otherwise, should be paid into Court in accordance with Section 38(1) of the Act. Does Union continue to support this course of action?

Response:

As noted in response to Interrogatory #2, matters relating to compensation are not relevant. Nevertheless, Union acknowledges that its intention is that upon determining the appropriate amount of compensation under the Act, the funds would be paid into Court in accordance with Section 38 of the Act.

UNION GAS LIMITED

Answer to Interrogatory from
Ministry of the Attorney General - CRIA Office

4. OEB Procedural Order No. 1, dated December 18, 2014, which was issued in this matter states that "The Board finds that a 30 day delay in the proceeding is unlikely to result in a resolution, given the amount of time already spent in attempting negotiations with all parties and finds that it is in the public interest to avoid any potential delay in pipeline construction." CRIA requests that it be provided with the details of such attempted negotiations as they relate to CRIA and other parties holding an interest in the Property.
-

Response:

As described in Union's letter of December 11, 2014, Union has endeavored to reach a negotiated easement agreement with the landowner for over 18 months. During this period, Union and its representatives have had approximately 25-30 discussions with the landowner, either in-person or by telephone, regarding all aspects of this project, including areas of permanent and temporary easements, compensation for land rights, access to property for completion of environmental and archeological surveys.

During this period, Union and its representatives have also had a number of discussions with the relevant lienholders and other encumbrancers. The focus of these discussions has been solely on issues relating to compensation for the requested easement and the payment or allocation of such compensation as between the landowner, lienholders and other encumbrancers. As noted in response to Interrogatory #2, matters relating to compensation - including the details of negotiations with respect to compensation - are not relevant to this proceeding.