



**EB-2008-0002**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B; and in particular sections 36.1(1), 38(1), 40(1), 90(1), thereof;

**AND IN THE MATTER OF** an application by Market Hub Partners Management Inc. and AltaGas Ltd. on behalf of Sarnia Airport Storage Pool Limited Partnership for an Order designating the area known as the Sarnia Airport Gas Storage Pool, in the Geographic City of Sarnia in the County of Lambton, as a gas storage area;

**AND IN THE MATTER OF** an application by Market Hub Partners Management Inc. and AltaGas Ltd. on behalf of Sarnia Airport Storage Pool Limited Partnership for authority to inject gas into, store gas in and remove gas from the areas designated as the Sarnia Airport Gas Storage Pool, and to enter into and upon the lands in the said areas and use the said lands for such purposes;

**AND IN THE MATTER OF** an application by Market Hub Partners Management Inc. and AltaGas Ltd. on behalf of Sarnia Airport Storage Pool Limited Partnership to the Ministry of Natural Resources for a license to drill wells in the said areas;

**AND IN THE MATTER OF** an application by Market Hub Partners Management Inc. and AltaGas Ltd. on behalf of Sarnia Airport Storage Pool Limited Partnership for an Order granting leave to construct natural gas pipelines in the City of Sarnia in the County of Lambton.

### **Procedural Order No. 1**

Market Hub Partners Management Inc. and AltaGas Ltd., on behalf of Sarnia Airport Storage Pool Limited Partnership (the "Applicants") have filed applications with the Ontario Energy Board, (the "Board") dated December 31, 2007, under sections 36.1(1), 38(1), 40(1) and 90(1) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B that would, if granted, allow the Applicants to develop Sarnia Airport Gas

Storage Pool in the geographic area of the City of Sarnia, County of Lambton, Ontario ("Sarnia Airport Pool Project").

The Applicants applied to the Board for the following:

- An Order designating the area containing a gas reservoir known as the Sarnia Airport Pool located in Lots 10 and 11, Concession Gore; Lots 10, 11 and 12, Concession 8; Lots 29, 30, 31, 32, 33 and 34 Front Concession; Lots 1, 2, 3, 4 and 5, North Division, Registered Plan 7; and Lots 1, 2, 3 and 4, South Division, Registered Plan 7; and public road allowance of Michigan Line, in the City of Sarnia in the County of Lambton, as a storage area pursuant to section 36.1(1) of the Act;
- Authority to inject gas into, store gas in, and remove gas from the Sarnia Airport Gas Storage Pool, pursuant to subsection 38(1) of the Act;
- A favourable report of the Board under subsection 40(1) of the Act, to the Minister of Natural Resources to whom Applicants have applied for a licence to drill three (3) injection/withdrawal wells and to re-enter and complete one (1) existing well within the proposed Sarnia Airport Gas Storage Pool;
- Leave to construct about 16 kilometers of transmission and about 2 kilometres of gathering pipelines within the proposed Sarnia Airport Gas Storage Pool, pursuant to subsection 90(1) of the Act.

The Application was not considered complete until a referral of the applications for well drilling licences was received from the MNR (as per s. 40(1) of the Act). On January 31, 2008 the Board received the referral from the MNR and the processing of the Application formally commenced.

The Notice of Application was issued on February 14, 2008. The Applicants served and published the Notice of Application as directed by the Board.

The Affidavit of Service and Publication was received on March 5, 2008. According to the Affidavit the last date for intervention was March 15, 2008.

The registered intervenors in the proceeding are: Mr. Ellis Manning Jr., Mr. Robert L. Williams each of whom hold certain royalty interests in production and natural gas leases within the proposed storage area; Mr. Brett King on behalf of his business, SS

Greenhouses, located adjacent to the proposed transmission pipeline; Ms. Anna Muscedere, a landowner adjacent to the proposed transmission line; and Mr. Peter Bernardi and Ms. Adreina Bernardi, landowners adjacent to but outside of the proposed storage area boundary. An Intervener List is attached as Appendix "A" to this Procedural Order.

The registered observers in the proceeding are: Sun-Canadian Pipe Line, Ms. Luisa Restivo and Mr. Tom Rocca and Loretta Rocca.

The Board received written comments from: Ms. and Mrs. Tavares, Mr. Roger Thurston, and Ms. E. Sossi. The comments form a part of the record of the proceeding and will be reviewed by the Board.

The Applicants, in a letter dated March 19, 2008, requested a written hearing. The Applicants stated that after review of the issues raised in the letters of participation and comments they believed a written hearing is appropriate.

No party requested an oral hearing. Three intervenors, Mr. Manning, Mr. Williams and Mr. and Ms. Bernardi, expressed preference for a written hearing while Ms. Muscedere did not state her preference regarding the type of the hearing. Mr. King, in his letter dated February 28, 2008, asked to make an oral presentation, but it was unclear as to whether that request constituted a request for an oral hearing per se.

The Board has decided to proceed with a written hearing, but to reserve the option to hold an oral hearing if circumstances require it later.

The Board considers it necessary to make provision for the following procedural matters. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Written interrogatories on the Applicants pre-filed evidence, shall be filed with the Board and copies delivered to Applicants and all intervenors on or before **Monday, April 21, 2008**. All interrogatories must include a reference to the section that identifies the specific evidence on which the interrogatory is based.
2. Responses to the interrogatories shall be filed with the Board and delivered to all intervenors on or before **Monday, May 5, 2008**.

3. Applicants shall file their argument-in-chief on or before **Wednesday, May 14, 2008.**
4. Intervenor and Board Staff shall file their final arguments on or before **Friday, May 23, 2008.**
5. Applicants shall file its reply argument to intervenors and Board Staff on or before **Friday, May 30, 2008.**

All filings to the Board must quote file number EB-2008-0002, and consist of an electronic copy in searchable / unrestricted PDF format filed through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), and three paper copies sent to the address below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to [BoardSec@oeb.gov.on.ca](mailto:BoardSec@oeb.gov.on.ca).

Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with three paper copies.

Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Parties must also include the Case Manager, Ms. Zora Crnojacki [zora.crnojacki@oeb.gov.on.ca](mailto:zora.crnojacki@oeb.gov.on.ca) and Board Counsel, Ms. Ljuba Cochrane [ljuba.cochrane@oeb.gov.on.ca](mailto:ljuba.cochrane@oeb.gov.on.ca) on all electronic correspondence related to this case.

**DATED** at Toronto April 4, 2008

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**Appendix A  
to  
Procedural Order No. 1**

**EB-2008-0002**

**List of Intervenor**

**MARKET HUB PARTNERS MANAGEMENT INC. AND ALTAGAS LTD.  
SARNIA AIRPORT STORAGE POOL PROJECT APPLICATION  
BOARD FILE NO. EB-2008-0002**

**April 3, 2008**

**APPLICANT**

Market Hub Partners Management Inc.

**CONTACT INFORMATION**

Mr. Jim Redford, P. Eng.  
Vice-President  
Market Hub Partners Management Inc.  
P.O. Box 2001  
50 Keil Dr. N.  
Chatham, ON N7M 5M1

Tel: 519 436-4577  
Fax: 519 358-4449  
e-mail: [jredford@spectraenergy.com](mailto:jredford@spectraenergy.com)

**INTERVENORS**

**CONTACT INFORMATION**

1. **Ellis W. Manning, Jr.**

Mr. Ellis W. Manning, Jr.  
116 Saint Andrews Drive  
Saint Simons Island, Georgia  
31522

Tel: 912-638-0736  
Fax: 912-638-0577  
Email: [ewmann@bellsouth.net](mailto:ewmann@bellsouth.net)

2. **Anna Muscedere**

Ms. Anna Muscedere  
2977 Stoney Creek Dr.  
P.O. Box 494  
Brights Grove, ON N0N 1C0

Tel: N/A

3. **SS Greenhouses**

Mr. Brett King  
SS Greenhouses  
5663 Waterworks Road  
Sarnia, ON N7T 7H2

Tel: 519-542-7679  
Fax: 519-542-0686  
Email: [ssgreenhouses@xcelco.on.ca](mailto:ssgreenhouses@xcelco.on.ca)

4. **Robert L. Williams**

Mr. Robert L. Williams  
Consulting Geologist  
658 Mt. Panassus Drive  
Granville, Ohio 43023

Tel: 740-587-1409

Email: N/A

5. **Peter and Andreina Bernardi**

Peter and Andreina Bernardi  
1586 Michigan Avenue  
Sarnia, ON N7T 7H4

Tel: 519-542-5013

Email: N/A