

Commission de l'énergie de l'Ontario
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Toronto ON M4P 1E4
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BY E-MAIL

April 1, 2015

Mark Murray
Manager, Regulatory Projects and Land Acquisition
Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1

LETTER OF DIRECTION

Dear Mr. Murray:

**Re: Union Gas Limited
Sudbury Expansion Project
Board File Number: EB-2015-0120**

The Ontario Energy Board has now issued its Notice of Application ("Notice") relating to the above referenced application. Please note that you must comply with the following directions within fourteen days of the date of this letter. If you cannot comply with the below directions within fourteen days, you must inform the Board Secretary immediately.

You are directed:

1. To arrange immediately for the publication of each of the English and the French versions of the Notice, in the exact form accompanying this letter, except:
 - a. For the English version of the Notice, under the section entitled "**BE INFORMED AND HAVE YOUR SAY**" and the section entitled "**ORAL VS. WRITTEN HEARINGS**" remove the bold and bracketed words "[insert actual date 10 calendar days from publication]"; and
 - b. For the French version of the Notice under the section entitled "**INFORMEZ-VOUS ET FAITES VALOIR VOTRE OPINION**" and the section entitled "**AUDIENCE ORALE ET AUDIENCES ÉCRITES**" remove the bold and bracketed words "[insérer la date venant dix jours civils après la publication]"; and

- c. In each of the English and the French versions of the Notice, insert the same actual date, which date shall be determined by adding 10 calendar days to the newspaper publication date which will occur last. If that actual date falls on a “holiday” as defined in Rule 6.02 of the Board’s *Rules of Practice and Procedure*, insert the next date that is not a holiday. Use the following date format for the English Notice “**January 1, 2014**” and the following date format for the French Notice “**1 janvier 2014**” .

An example of how to manage multiple publication dates is provided at Appendix A to this Letter of Direction.

- d. Publication of the English version of the Notice must be made in one issue of the English language newspaper having the highest circulation, according to the best information available, in the City of Greater Sudbury.
- e. Publication must be made in one issue of the French language newspaper having the highest circulation, according to the best information available, in the City of Greater Sudbury.
- f. In accordance with the words “**A map of the proposed pipeline project is provided below.**” include the map that accompanies this letter immediately below the frame of the English Notice; and
- g. In accordance with the words “**Vous trouverez ci-après des cartes des projets de gazoducs.**” include the map that accompanies this letter immediately below the frame of the French Notice

Please note that invoices regarding publication are not to be sent to the Board.

- 2. Once the publication date is known, to immediately, and prior to the publication of the Notice in accordance with paragraph 1, file with the Board a completed (dated) version of the Notice in PDF format.
- 3. To conduct a search of title forthwith, sufficient to determine the current registered property owners and encumbrancers with lands or interest in the lands directly affected by the proposed pipeline and related facilities.
- 4. To promptly and no later than the date of publication of the Notice in accordance with paragraph 1 herein, serve a copy of the completed Notice, together with a copy of the application, either personally, by courier or by registered mail on:
 - a. all property owners and encumbrancers with lands or interest in lands identified in the search of title referred to in paragraph 3 above;

- b. FNX Mining Company Inc.;
 - c. the clerks of the affected municipalities;
 - d. all Aboriginal communities that have been consulted or with lands or interest in the lands directly affected by the proposed pipeline and related facilities;
 - e. the Métis Nations of Ontario, Wahnapiataie First Nation and Whitefish First Nation
 - f. all affected utilities and railway companies; and
 - g. members of the Ontario Pipeline Co-ordinating Committee.
5. To promptly, and no later than the date of publication of the Notice, post a copy of the completed Notice and the application and evidence in a prominent place on the website of Union Gas Limited.
 6. To promptly, and no later than the date of publication of the Notice, make a copy the Notice, the application and evidence, and any amendments thereto, available for public review at the offices of Union Gas Limited.
 7. To file with the Board, both electronically and in hard copy, an affidavit proving completion of the matters directed by the Board in items 1 through 6 above immediately thereafter.

The affidavit(s) of service must confirm that the Municipal Clerks served are the clerks of the affected municipalities, that the Aboriginal communities served are all of the Aboriginal communities affected, that the utilities and railway companies served are all of the utilities and railway companies whose lines would be crossed by the proposed pipelines, and that the property owners and encumbrancers served are all owners and encumbrancers affected by the proposed construction.

The affidavit(s) of publication must confirm that the newspaper in which the Notice was published is the newspaper having the highest circulation, according to the best information available, in the affected municipality.

8. To provide a copy of the application and evidence, and any amendments thereto, to anyone requesting the material.

You are further directed not to include any document or material when serving the Notice other than documents or materials expressly required by this Letter of Direction.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

Encl.

Appendix A

EXAMPLE – MULTIPLE NEWSPAPER PUBLICATION DATES

Example scenario:

An applicant is required to publish a notice provided by the Ontario Energy Board in 4 newspapers.

Newspaper 1 is an English daily and the first date on which publication can be effected is Thursday, December 4, 2014.

Newspaper 2 is an English weekly and the first day on which publication can be effected is Wednesday, December 10, 2014.

Newspaper 3 is a French daily and the first day on which publication can be effected is Monday, December 8, 2014.

Newspaper 4 is a French weekly and the first day on which publication can be effected is Monday, December 15, 2014.

Determining the “actual date” for inclusion in the Notice:

The applicant should take **December 15, 2014** which is the last date of publication and add 10 calendar days to that date which results in the date of December 25, 2014. Since both December 25th and December 26th are statutory holidays and since December 27th and 28th are Saturday and Sunday, the applicant should use the next business day of **December 29, 2014** (using the appropriate date format) in all versions of the notice (both English and French, if applicable). All published notices will therefore have the same deadline date of December 29, 2014 regardless of the date on which each of the newspapers is published.

Questions?

Please direct any questions with respect to these requirements generally, or to the specific application of the requirements to your Notice to the Case Manager assigned to your case.