

August 8, 2016

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Certificate of Convenience and Public Necessity
Unincorporated Township of Van Horne - Board File No. EB-2016-0198**

As per the Board's Letter of Direction dated August 4, 2016, enclosed is my Affidavit of Service and Publication in regard to the above-noted proceeding.

Yours truly,

[Original signed by]

Gary Collins
Regulatory Research Analyst
Regulatory Research and Records

Encl.

IN THE MATTER OF the *Municipal Franchises Act*, R.S.O. 1990 c. M.55, as amended;

AND IN THE MATTER OF an Application by Union Gas Limited for an Order to issue a Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Unincorporated Township of Van Horne.

-: AFFIDAVIT OF SERVICE :-

I, Gary Collins, of the Municipality of Southwest Middlesex, in the Province of Ontario, make oath and say as follows:

1. I am an employee in the Head Office of Union Gas Limited, the Applicant in the matter referred to in the preamble to this my Affidavit and I have personal knowledge of the matters herein deposed to.
2. By Courier, at Chatham, Ontario, on August 4, 2016, I did cause to be sent to the Ministry of Municipal Affairs and Housing a true copy of the Notice of Application issued by the Board on August 4, 2016, to the above preamble and a covering letter, attached hereto as Exhibit "A".
3. By Courier, at Chatham, Ontario, on August 4, 2016, I did cause to be sent to the Ministry of Natural Resources and Forestry a true copy of the Notice of Application issued by the Board on August 4, 2016, to the above preamble and a covering letter, attached hereto as Exhibit "B".
4. Pursuant to the August 4, 2016, Letter of Direction, attached hereto and marked as Exhibit "C" is a print screen providing proof of information posted to the Union Gas Limited website on August 4, 2016 for public review at <http://www.uniongas.com/aboutus/regulatory/franchises>
5. I make this Affidavit in good faith and for no improper purpose.

SWORN BEFORE ME, at the)
Municipality of Chatham-Kent)
in the Province of Ontario,) [Original Signed By]
this 8th day of August 2016.) _____
Gary Collins

[Original Signed By]

A Commissioner, etc.

ONTARIO ENERGY BOARD NOTICE

Union Gas Limited has applied for approval of a certificate of public convenience and necessity for the Township of Van Horne.

Learn more. Have your say.

Union Gas Limited has applied to the Ontario Energy Board for an order granting to Union Gas Limited a certificate of public convenience and necessity to construct works to supply natural gas in the unincorporated Township of Van Horne.

THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider Union Gas' request. At the end of this hearing, the OEB will decide whether to grant Union Gas' request.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process.

- You can review the application filed by Union Gas on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). Apply by **August 22, 2016** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

The OEB does not intend to provide for an award of costs for this hearing.

LEARN MORE

Our file number for this case is **EB-2016-0198**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please select the file number **EB-2016-0198** from the list on the OEB website: www.ontarioenergyboard.ca/participate. From that OEB web page you can also enter the file number **EB-2016-0198** to see all the documents related to this case. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB intends to proceed with this application by way of a written hearing unless a party satisfies the OEB that there is good reason for not holding a written hearing. If you believe an oral hearing is necessary, you must provide written reasons to the OEB by **August 22, 2016**.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and email address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.

This hearing will be held under section 8(1) of the Municipal Franchises Act, R.S.O. 1990, c.M.55.



Ontario Energy Board / Commission de l'énergie de l'Ontario

THIS IS EXHIBIT A TO THE AFFIDAVIT
OF GARY COLLINS
SWORN BEFORE ME THIS 8 DAY OF
August 20 16

ORIGINAL SIGNED BY
A COMMISSIONER, ETC.

August 4, 2016

Ministry of Municipal Affairs and Housing
Northern Municipal Services Office
Suite 223, 435 James Street South
Thunder Bay, ON P7E 6S7

Dear Ministry of Municipal Affairs and Housing:

**RE: Notice of Application
Certificate of Public Convenience and Public Necessity
The Unincorporated Township of Van Horne
Ontario Energy Board File Number: EB-2016-0198**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated August 4, 2016, Union Gas now serves upon you a copy of the Notice of Application together with a copy of the relevant Application for approval of the Certificate of Public Convenience and Necessity for the Unincorporated Township of Van Horne.

The Ontario Energy Board will be arranging for publication of this Notice of Application in the Dryden Observer on August 10, 2016.

Yours very truly,

[Original signed by]

Patrick McMahon
Manager, Regulatory Research and Records
pmcmahon@uniongas.com
(519) 436-5325

Encl.

THIS IS EXHIBIT B11 TO THE AFFIDAVIT
OF GARY COLLINS
SWORN BEFORE ME THIS 8 DAY OF
AUGUST 20 16
CORIBINAL SIGNED BY
A COMMISSIONER, ETC.

August 4, 2016

Ministry of Natural Resources and Forestry
Dryden District Office, 479 Government Rd (Hwy 17)
PO Box 730
Dryden, ON P8N 2Z4

Dear Ministry of Natural Resources and Forestry:

**RE: Notice of Application
Certificate of Public Convenience and Necessity
The Unincorporated Township of Van Horne
Ontario Energy Board File Number: EB-2016-0198**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated August 4, 2016, Union Gas now serves upon you a copy of the Notice of Application together with a copy of the relevant Application for approval of the Certificate of Public Convenience and Necessity for the Unincorporated Township of Van Horne.

The Ontario Energy Board will be arranging for publication of this Notice of Application in the Dryden Observer on August 10, 2016.

Yours very truly,

[Original signed by]

Patrick McMahon
Manager, Regulatory Research and Records
pmcmahon@uniongas.com
(519) 436-5325

Encl.



uniongas

A Spectra Energy Company

June 21, 2016

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Unincorporated Township of Van Horne
Certificate of Public Convenience and Necessity**

Attached is an Application by Union Gas Limited for Orders of the Board with respect to a Certificate of Public Convenience and Necessity for the unincorporated Township of Van Horne.

Should you have any questions, please do not hesitate to contact me. I look forward to receipt of your instructions.

Yours truly,

[Original signed by]

Patrick McMahon
Manager, Regulatory Research and Records
pmcmahon@uniongas.com
(519) 436-5325

Encl.

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Municipal Franchises Act*, R.S.O. 1990, c.M.55, as amended;

AND IN THE MATTER OF an Application by Union Gas Limited for an Order approving a Certificate of Public Convenience and Necessity to construct works to supply natural gas in the unincorporated Township of Van Horne.

APPLICATION

1. Union Gas Limited ("Union"), a regulated public utility, is a corporation incorporated under the laws of the Province of Ontario, with its head office at the Municipality of Chatham-Kent, in the Province of Ontario.
2. The geographic Township of Van Horne is an unincorporated area within the District of Kenora in Northwestern Ontario. Attached hereto and marked as Schedule "A" is a map showing the location of the unincorporated Township of Van Horne and Union's facilities in that area of Northwestern Ontario.
3. An unincorporated township is one that does not have a municipal council that governs solely over the township. The unincorporated Township of Van Horne falls under provincial jurisdiction rather than municipal.
4. Union has Franchise Agreements with and Certificates of Public Convenience and Necessity for the former Town of Dryden and the former Township of Barclay which were amalgamated in January 1998 to form the City of Dryden. The City of Dryden is immediately adjacent to the unincorporated Township of Van Horne. Union currently serves approximately 3,200 customers within the City of Dryden.
5. In 2015, Union installed a pipeline extension on Olson Landing Road / Gordon Road. Due to lack of clarity on the municipal boundary lines at the time, Union attached 3 new services to the pipeline extension which actually lie within the unincorporated Township of Van Horne. Union has since determined that the boundary between the City of Dryden and the unincorporated Township of Van Horne runs down the middle of Olson Landing Road. Everything east of Olson Landing Road lies within the City of Dryden while areas west of Olson Landing Road lie within the unincorporated Township of Van Horne.
6. The three new services attached in December 2015 within the unincorporated Township of Van Horne were a residential service, a bulk-metered residential 4-plex service with annual volumes of 11,250 m³ and an excavating and cement contractor with annual volumes of 23,100 m³.

7. Union has received inquiries for a potential 60 service attachments (residential and commercial) in three areas within the unincorporated Township of Van Horne along Highway 594, Jonasson Road and Olson Landing Road. A proposed pipeline extension from the City of Dryden into the unincorporated Township of Van Horne will allow for the attachment of new customers within the City of Dryden as well as within the unincorporated Township of Van Horne.
8. Union is submitting this application for an Order under Section 8 of the *Municipal Franchises Act* based on the assumption that the doctrine of jurisdiction by necessary implication gives the Ontario Energy Board jurisdiction to issue a Certificate of Public Convenience and Necessity in respect of an unincorporated territory.
9. The address of Union's district office is:

 Union Gas Limited
 1211 Amber Drive
 Thunder Bay, ON P7B 6M4
 Attention: Nick Klip, District Manager, Northwest
 Telephone: (807) 684-8818 Fax: (807) 684-8805
 Email: nklip@uniongas.com
10. Union now applies to the Ontario Energy Board for an Order pursuant to Section 8 of the *Municipal Franchises Act* approving a Certificate of Public Convenience and Necessity for the unincorporated Township of Van Horne.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 21st day of June, 2016.

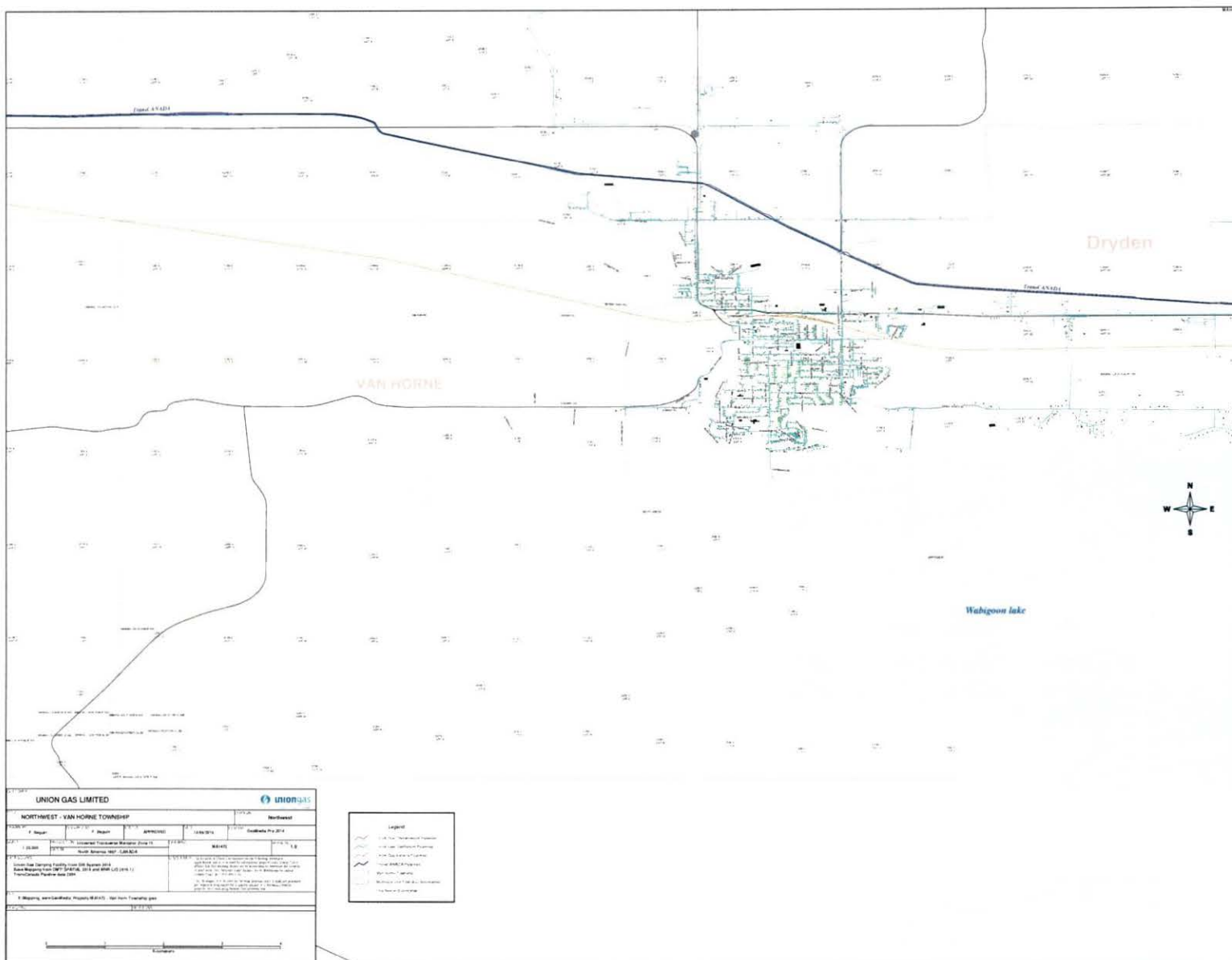
UNION GAS LIMITED

[Original signed by]

Patrick McMahon
 Manager, Regulatory Research and Records

Comments respecting this Application should be directed to:

Mr. Patrick McMahon
 Manager, Regulatory Research and Records
 Union Gas Limited
 50 Keil Drive North
 Chatham, ON N7M 5M1
pmcmahon@uniongas.com
 Telephone: (519) 436-5325



THIS IS EXHIBIT "C" TO THE AFFIDAVIT
OF GARY COLEMAN
SWORN BEFORE ME THIS 8 DAY OF
AUGUST 20 16

[ORIGINAL SIGNED BY]
A COMMISSIONER, ETC.

ABOUT US

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Franchises

EB-2016-0198- Unincorporated Township of Van Horne (Certificate)

- [Application](#)
- [Notice of Application](#)

EB-2016-0213- City of Dryden

- [Application](#)
- [Notice of Application](#)

EB-2016-0217- Village of Sundridge

- [Application](#)
- [Notice of Application](#)