



EB-2017-0108

**Union Gas Limited**

**Application for certificates of public convenience and  
necessity for Norfolk County, the County of Elgin,  
and the County of Middlesex**

**PROCEDURAL ORDER NO. 1**

**September 6, 2017**

**Background**

Union Gas Limited (Union Gas) applied to the Ontario Energy Board (the OEB) on February 24, 2017, under section 8 of the *Municipal Franchises Act* for an order amending Union Gas' authorizations to construct gas works and supply gas in Norfolk County, the County of Elgin and the County of Middlesex.

More particularly, as stated in the OEB's Notice of Hearing issued July 13, 2017, Union Gas seeks the following:

1. An order cancelling those parts of Union Gas' existing certificate of public convenience and necessity related to the former County of Norfolk and those parts of Natural Resource Gas Limited's (NRG) certificate of public convenience and necessity related to the former Township of Norfolk that were in the former Townships of Houghton, Middleton, North Walsingham and South Walsingham, and replacing them with utility-specific certificates for Norfolk County.
2. An order amending NRG's certificate for the County of Elgin to limit it to areas where NRG has assets on County of Elgin roads, and amending Union Gas'

- existing certificate related to the County of Elgin to exclude areas where NRG has assets on County of Elgin roads.
3. An order amending NRG's certificate for the County of Middlesex, limiting it to areas where NRG has assets on County of Middlesex roads, and amending Union Gas' existing certificate for the County of Middlesex to exclude areas where NRG has assets on County of Middlesex roads.
  4. An order granting confidential treatment of information on the location of Union Gas' gas mains in the affected areas.

Pursuant to the Notice of Hearing, EPCOR Natural Gas Limited Partnership (EPCOR), NRG, and On-Energy Corp. and MariCann Group Inc. Limited Partnership (OMLP) applied for intervenor status.

NRG's request for intervenor status was filed on Tuesday, July 25, 2017. In that request, NRG referred its pending application to the OEB for leave to sell its natural gas distribution facilities to EPCOR (EB-2016-0351)<sup>1</sup> and submitted that if leave were granted in that application, and following the closing of that transaction, "...subject to any guidance or direction from the Board, NRG will transfer or otherwise work with EPCOR to transition NRG's evidence, argument, interrogatories, cross-examinations or any other participation in this proceeding to EPCOR". The OEB approved that proposed transaction in its Decision and Order issued on August 3, 2017 and, therein, directed NRG to promptly notify the OEB of the completion of the transaction. As the OEB has not yet received notice that the transaction has been completed, the OEB is prepared to grant both NRG and EPCOR intervenor status in the current proceeding at this time. However, NRG and EPCOR are expected to ensure that they avoid duplication in interrogatories and other elements of the proceeding, and should the NRG/EPCOR transaction be completed during the course of this proceeding, the OEB expects that NRG will undertake the transfer and transition to which it committed in its request for intervenor status.

I consider it necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

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<sup>1</sup> EB-2016-0351

**IT IS THEREFORE ORDERED THAT:**

1. Intervenor status is granted to each of EPCOR Natural Gas Limited Partnership, Natural Resource Gas Limited and On-Energy Corp. and MariCann Group Inc. Limited Partnership. NRG shall transition its participation in this proceeding to EPCOR upon notifying the OEB of the completion of the transaction referred to above. The list of parties in this proceeding is attached as Schedule A to this Procedural Order.
2. OEB staff and intervenors shall request any relevant information and documentation from Union Gas Limited that is in addition to the evidence already filed by written interrogatories filed with the OEB and served on all parties by **September 20, 2017**.
3. Union Gas Limited shall file with the OEB complete responses to all interrogatories and serve them on all intervenors and OEB staff by **October 4, 2017**.
4. OEB staff and intervenors may file any written submission with the OEB and serve them on all parties by **October 18, 2017**.
5. Union Gas Limited may file a written reply submission with the OEB and serve it on all intervenors and OEB staff by **November 1, 2017**.

All filings to the Board must quote the file number, **EB-2017-0108** and be made electronically in searchable/unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available, parties may email their documents to the address below.

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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Azalyn Manzano at

[Azalyn.Manzano@ontarioenergyboard.ca](mailto:Azalyn.Manzano@ontarioenergyboard.ca) and Board Counsel, Richard Lanni at  
[Richard.Lanni@ontarioenergyboard.ca](mailto:Richard.Lanni@ontarioenergyboard.ca).

**ADDRESS**

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

E-mail: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto, September 6, 2017

**ONTARIO ENERGY BOARD**

**By delegation, before: Pascale Duguay**

*Original signed by*

Pascale Duguay  
Manager, Application Policy and Climate Change

**Schedule A**

**Procedural Order No. 1**

**Union Gas Limited**

**EB-2017-0108**

**Applicant and List of Intervenor**

**September 6, 2017**

**Union Gas Limited  
EB-2017-0108**

**APPLICANT & LIST OF INTERVENORS**

September 06, 2017

**APPLICANT**

**Rep. and Address for Service**

**Union Gas Limited**

**Patrick McMahon**

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**INTERVENORS**

**Rep. and Address for Service**

**EPCOR Natural Gas Limited  
Partnership**

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**Union Gas Limited  
EB-2017-0108**

**APPLICANT & LIST OF INTERVENORS**

September 06, 2017

**Natural Resource Gas  
Limited**

**Patrick Welsh**

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