

**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. 2  
October 16, 2017**

Union Gas Limited (Union Gas) applied to the Ontario Energy Board (OEB) on February 24, 2017, under section 8 of the *Municipal Franchises Act*, for an order amending Union Gas' and Natural Resource Gas' (NRG) certificates of public necessity and convenience (certificates) relating to Norfolk County, the County of Elgin, and the County of Middlesex (the three Counties). The OEB issued a Notice of Hearing on July 13, 2017, and assigned file number EB-2017-0108 to the proceeding. NRG, EPCOR Natural Gas Limited Partnership, and OM Limited Partnership (OMLP)<sup>1</sup> are intervenors in the proceeding.

In accordance with Procedural Order No. 1, issued September 20, 2017, OEB staff and intervenors filed interrogatories, and Union Gas responded to those interrogatories. As part of its response to OEB staff's interrogatories, Union Gas also filed maps with the OEB identifying all of Union Gas' existing gas mains in the three Counties. Union Gas requested confidential treatment for the maps, pursuant to the OEB's *Practice Direction on Confidential Filings*. The grounds for its confidential treatment included that the information contained therein is proprietary and subject to periodic change; and that it

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<sup>1</sup> OMLP applied on July 28, 2017, under section 8 of the *Municipal Franchises Act*, for an order granting OMLP a limited certificate for Norfolk County (restricted to a piece of land in the geographic area of the former Township of North Walsingham, being the north half of Lot 2, Concession 7). The OEB has assigned file number EB-2017-0289 to the proceeding.

contains highly sensitive information from public safety, system security and customer personal information perspectives.

As each of the existing certificates of Union Gas and NRG do not sufficiently delineate the areas currently being served by each of the utilities and do not address the potential overlap of unserved areas within the three Counties, I find it appropriate to make provision for a settlement conference between the parties. This will give the parties an opportunity to reach an agreement and make a joint proposal to the OEB on how each of the certificates in the three Counties should be amended (or cancelled and superseded) by the OEB, in a manner that best serves the public interest.

I consider it necessary to make provision for the following matters related to this proceeding. These procedural steps and dates supersede those included in Procedural Order No. 1. The OEB may issue further procedural orders from time to time.

**IT IS THEREFORE ORDERED THAT:**

1. A settlement conference between Union Gas Limited, EPCOR Natural Gas Limited Partnership, Natural Resource Gas Limited and OM Limited Partnership will be convened on **November 2, 2017**, starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto.
2. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **November 16, 2017**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether parties believe those issues should be dealt with by way of an oral or written hearing.
3. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties within seven days from when a settlement proposal is filed.
4. If there is no settlement proposal arising from the settlement conference, Union Gas Limited shall file a statement to that effect with the OEB by **November 7, 2017**. In that event, parties shall file with the OEB by **November 14, 2017** any comments indicating with reasons whether parties believe those issues should be dealt with by way of an oral or written hearing.

All filings with the OEB must quote the file number **EB-2017-0108**, and be made through the OEB's web portal at <https://www.pes.oeb.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must be received by the OEB by 4:45 p.m. on the stated date. Parties should use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.ca](http://www.oeb.ca). If the web portal is not available, parties may e-mail their documents to the attention of the Board Secretary at [BoardSec@oeb.ca](mailto:BoardSec@oeb.ca).

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**DATED** at Toronto, **October 16, 2017**

**ONTARIO ENERGY BOARD**

**By delegation, before:**

*Original signed by*

Pascale Duguay  
Manager, Applications Policy and Climate Change