

March 13, 2018

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

Dear Ms. Walli:

**Re: Certificate of Public Convenience and Necessity
Unincorporated Township of McKenzie-Portage
OEB File Number: EB-2017-0112**

Attached is an Updated 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 McKenzie-Portage.

Should you have any questions on this material, please do not hesitate to contact me.

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 McKenzie-Portage.

APPLICATION (Updated)

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. On August 19, 2016, Union was directed by the Ontario Energy Board to file a report by December 31, 2016 confirming that Union has obtained Certificates of Public Convenience and Necessity covering the geographic areas in which its facilities are located. If during its investigation facilities are found to be located in areas where it does not hold Certificate rights, Union is to advise the Board as to where the infrastructure is located and to provide a plan to rectify the situation.
3. During its investigation of Certificates, Union identified 9 customers being served within the unincorporated Township of McKenzie-Portage which is just off Highway 17 in the District of Kenora with the earliest service installations being in 1993 and the most recent in 2011. There is no record of a Certificate being issued to Union for the unincorporated Township of McKenzie-Portage.
4. Attached hereto and marked as Schedules "A(1)" and "A(2)" are maps showing the location of the unincorporated Township of McKenzie-Portage as well as customer density and metes & bounds descriptions of the area within the unincorporated Township of McKenzie-Portage in which Union has facilities and provides service to end-use customers. The proposed Certificate area boundary begins 347m west of the intersection of Fourth Street and Highway 17 and covers an area 1.8 km x 0.3 km.
5. Union has a Franchise Agreement (RP-2004-0199 / EB-2004-0402) with and Certificate of Public Convenience and Necessity (RP-2004-0199 / EB-2004-0401) for the City of Kenora which is the closest municipality to the unincorporated Township of McKenzie-Portage.
6. 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.

7. 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
Email: nklip@uniongas.com

8. 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 McKenzie-Portage.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 13th day of March, 2018.

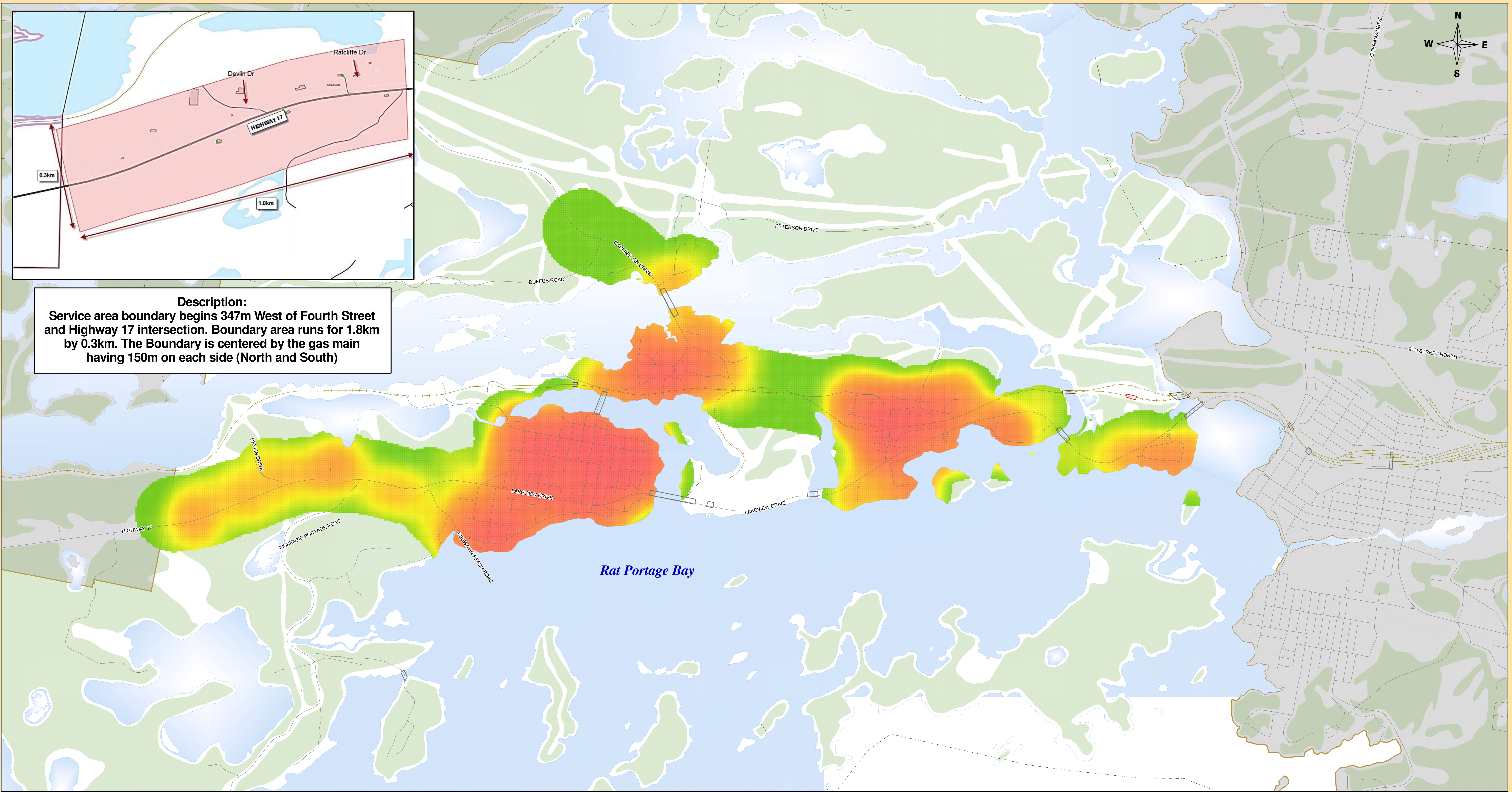
UNION GAS LIMITED

[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



Description:
Service area boundary begins 347m West of Fourth Street and Highway 17 intersection. Boundary area runs for 1.8km by 0.3km. The Boundary is centered by the gas main having 150m on each side (North and South)

McKENZIE PORTAGE



Disclaimer:
The map is provided with no warranty express or Implied and is subject to change at any time. Any Person using the Density Map shall do so at its own Risk and the Density Map is not intended in any way As a tool to locate underground infrastructure for the purposes of excavation



Legend

- Union Gas Pipeline Coverage Area
- McKenzie Portage Township
- Roads
- Railway
- Municipal and Township Boundaries
- First Nation Boundaries

