

March 15, 2018

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

Dear Ms. Walli:

Re: Certificates of Public Convenience and Necessity

Unincorporated Communities OEB File Number: EB-2017-0109

Attached is an Updated Application by Union Gas Limited for Orders of the Board with respect to Certificates of Public Convenience and Necessity for 8 unincorporated areas in Ontario.

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 Certificates of Public Convenience and Necessity to construct works to supply natural gas in unincorporated areas.

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 investigations of Certificates, Union originally identified 9 unincorporated / unorganized areas in the Northern service area where Union has infrastructure in place that is not providing service directly to end users. During research on the metes and bounds descriptions for the unincorporated areas that were part of the original EB-2017-0109 application, Union determined that the former Langton Township had been amalgamated with other townships to form the current Township of Machin (for which Union holds Certificate EBC 118). As a result, the former Langton Township is no longer part of the EB-2017-0109 application.
- 4. There is no record of a Certificate being issued to Union for the following 8 areas:
 - i. **Buller Township** is an unincorporated community in the Kenora District. 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 Buller Township. The proposed Certificate area boundary within Buller Township covers an area 10520m x 300m running from GPS Coordinates (49.9900557, -93.340360) to GPS Coordinates (50.064236, -93.262700).
 - ii. The **Township of Freeborn** is an unincorporated community within the District of Rainy River. Union has a Franchise Agreement (RP-2000-0027) with and Certificate of Public Convenience and Necessity (EBC 88) for the Town of Rainy River which is the closest municipality to the unincorporated Township of Freeborn. The proposed Certificate area boundary for the Township of Freeborn covers an area 11256m x 300m running from GPS Coordinates (48.773583, -91.621237) to GPS Coordinates (48.829609, -91.622618).

- iii. The **Township of Hanniwell** is an unincorporated community within the Thunder Bay District. Union has a Franchise Agreement (RP-2000-0006 / EB-2000-0018) with and Certificate of Public Convenience and Necessity (RP-2000-0006 / EB-2002-0374) for the City of Thunder Bay which is the closest municipality to the unincorporated Township of Hanniwell. The proposed Certificate area boundary for the Township of Hanniwell covers an area 5943m x 300m running from GPS Coordinates (49.071407, -90.961842) to GPS Coordinates (49.108549, -90.905127).
- iv. The **Township of McCaul** is an unincorporated community within the District of Rainy River. Union has a Franchise Agreement (RP-2000-0027) with and Certificate of Public Convenience and Necessity (EBC 88) for the Town of Rainy River which is the closest municipality to the unincorporated Township of McCaul. The proposed Certificate area boundary for the Township of McCaul covers an area 10456m x 300m running from GPS Coordinates (48.805059, -91.489635) to GPS Coordinates (48.783237, -91.359576).
- v. **Pyramid Township** is an unincorporated community in the Thunder Bay District. Union has a Franchise Agreement (RP-2000-0006 / EB-2000-0018) with and Certificate of Public Convenience and Necessity (RP-2000-0006 / EB-2002-0374) for the City of Thunder Bay which is the closest municipality to the unincorporated Pyramid Township. The proposed Certificate area boundary for Pyramid Township covers an area 7429m x 300m running from GPS Coordinates (49.108549, -90.905127) to GPS Coordinates (49.160541, -90.842625).
- vi. The **Unsurveyed District of Rainy River** is an unincorporated area in the District of Rainy River comprising all communities in the district which are not part of incorporated municipalities. Union has a Franchise Agreement (RP-2000-0027) with and Certificate of Public Convenience and Necessity (EBC 88) for the Town of Rainy River which is the closest municipality to the unincorporated / unsurveyed District of Rainy River. The proposed Certificate area boundary for the Unsurveyed District of Rainy River covers an area 25300m x 300m running from GPS Coordinates (48.856329, -91.227896) to GPS Coordinates (49.020196, -91.030029).
- vii. The **Township of Ramsay Wright** is an unincorporated community within the District of Rainy River. Union has a Franchise Agreement (RP-2000-0027) with and Certificate of Public Convenience and Necessity (EBC 88) for the Town of Rainy River which is the closest municipality to the unincorporated Township of Ramsay Wright. The proposed Certificate area boundary for the Township of Ramsay Wright covers an area 2050m x 300m running from GPS Coordinates (48.846055, -91.249353) to GPS Coordinates (48.856329, -91.227896).
- viii. **Redvers Township** is an unincorporated community in the Kenora District. 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 Redvers Township. The proposed Certificate area boundary for Redvers Township covers an area 2290m x 300m running from GPS Coordinates (49.972308, -93.347055) to GPS Coordinates (49.990557, -93.340360).

- 5. Attached hereto and marked as Schedules "A(i)", "A(ii)", "A(iii)" and "A(iv)" are maps showing the location of these unincorporated areas as well as customer density and metes & bounds descriptions of the boundaries within these unincorporated areas in which Union has facilities.
- 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* for Certificates of Public Convenience and Necessity for these unincorporated areas.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 15th day of March, 2018.

UNION GAS LIMITED

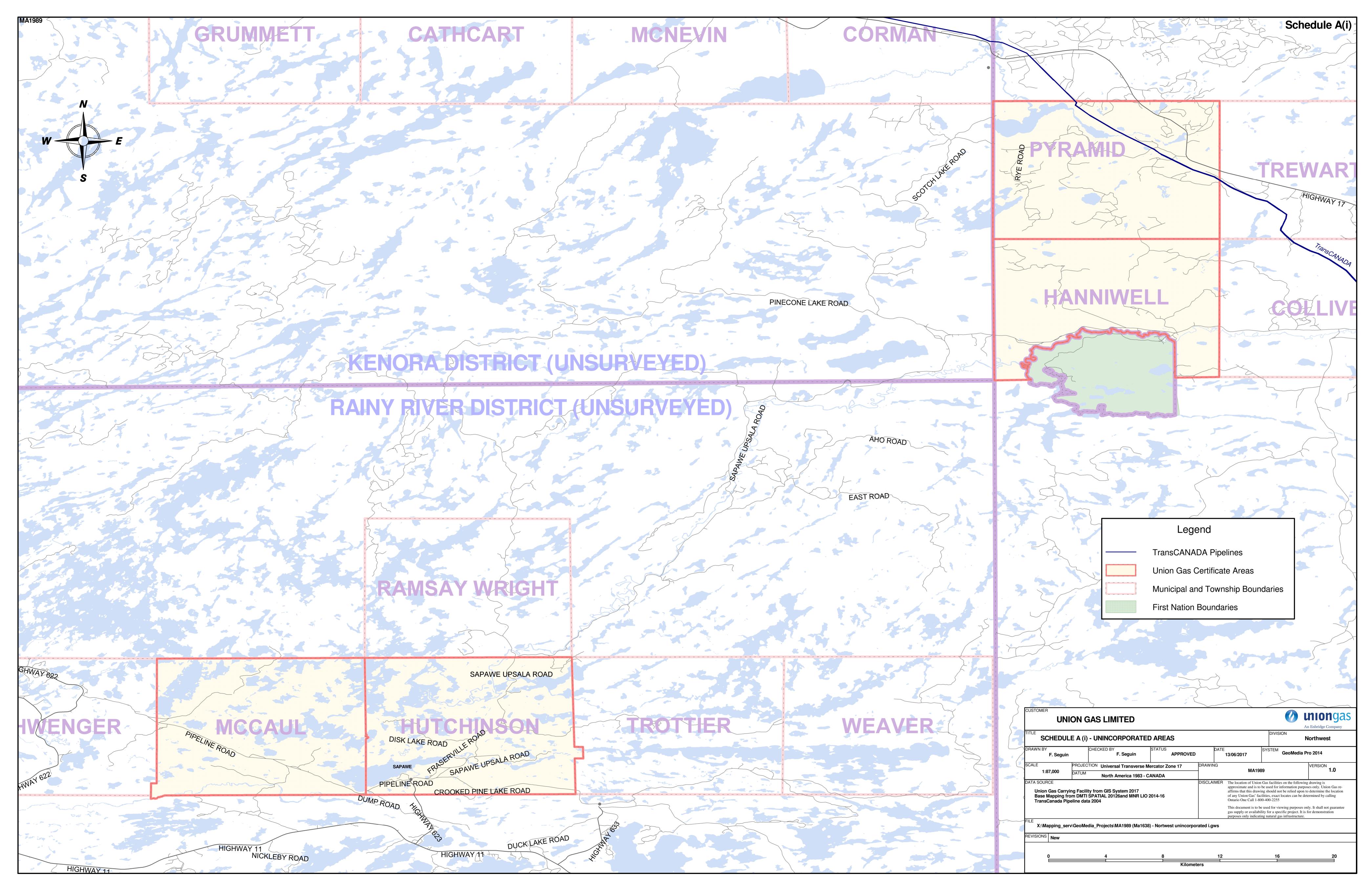
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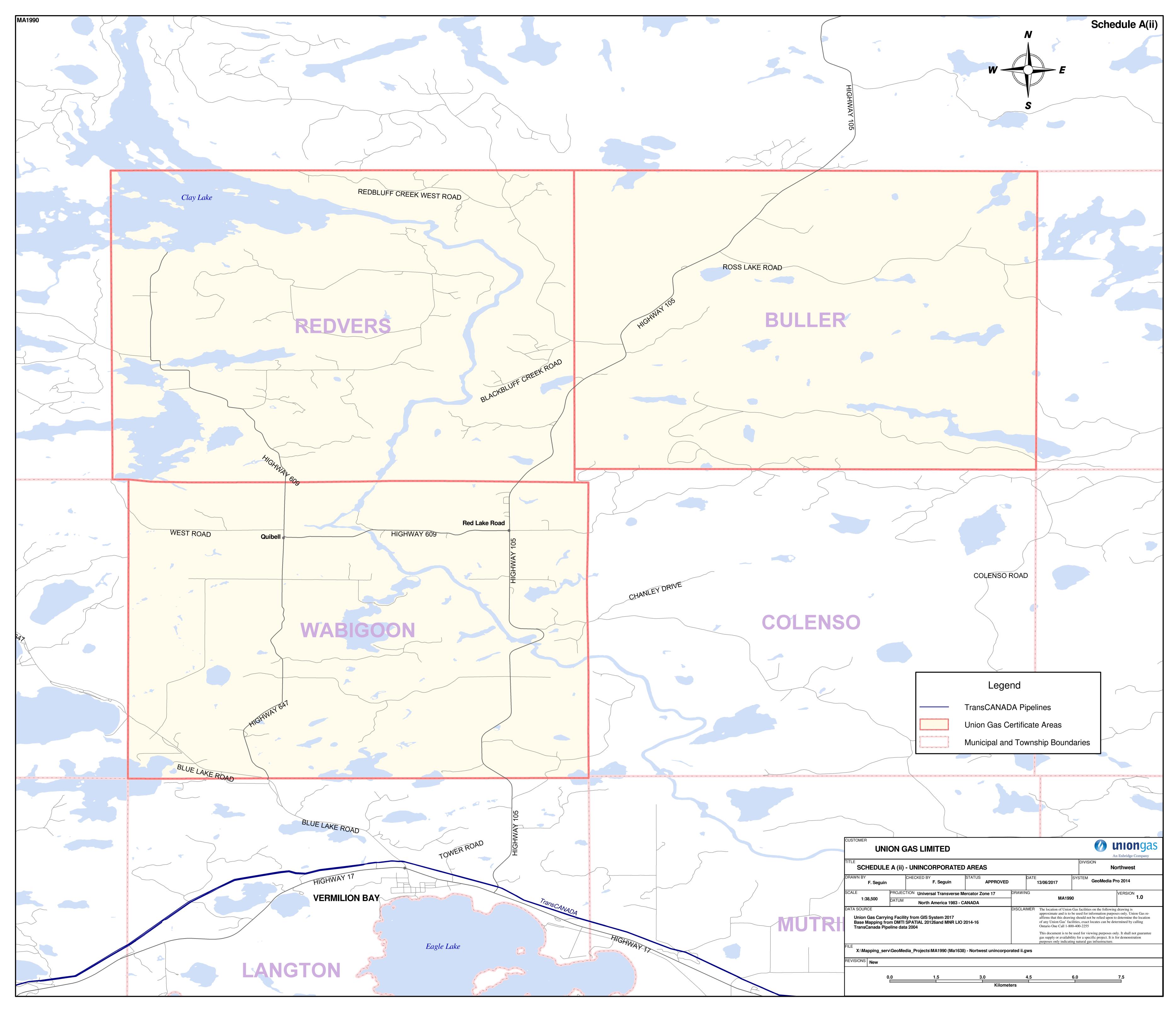
Patrick McMahon Manager, Regulatory Research and Records

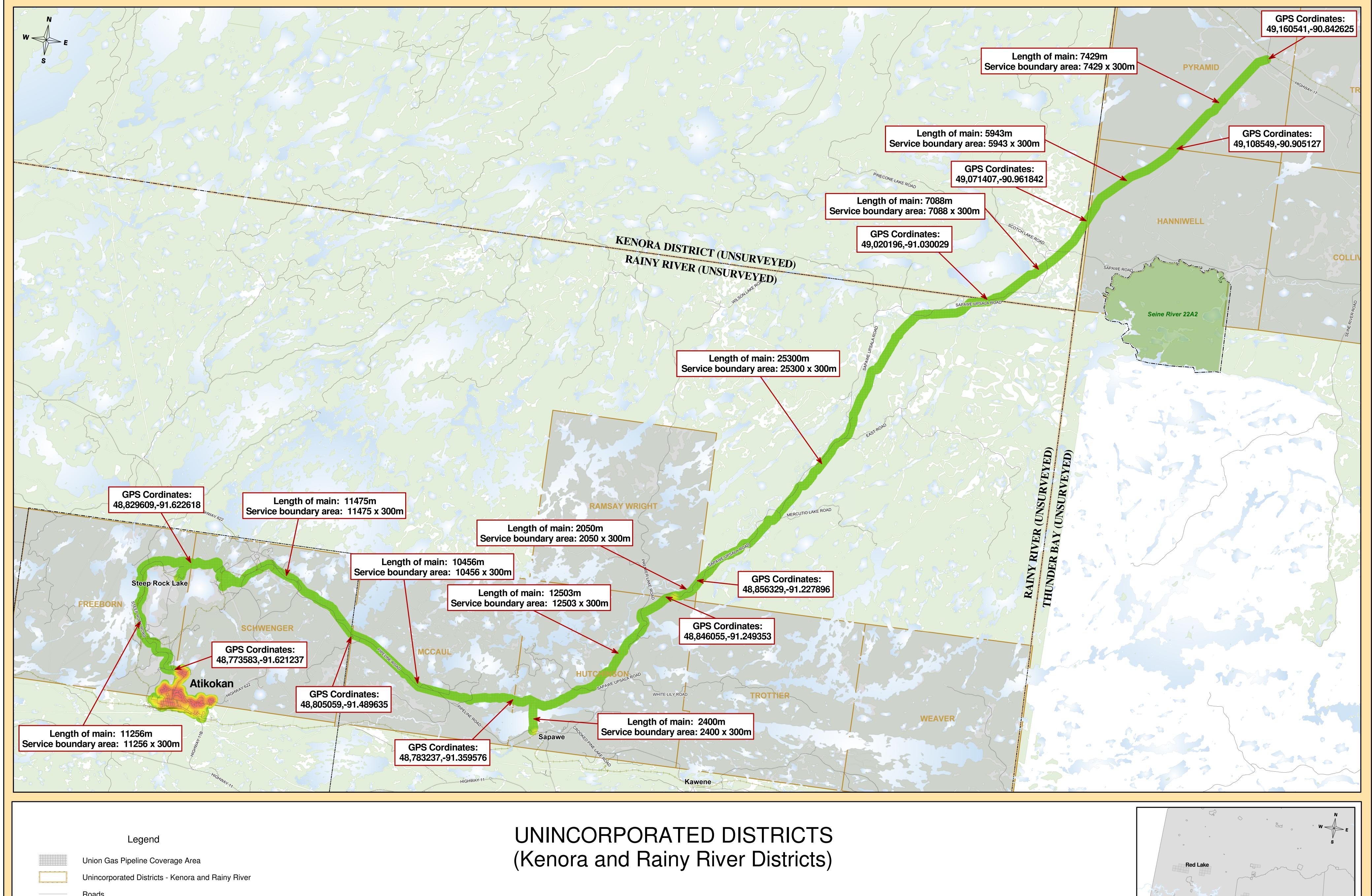
Comments respecting this Application should be directed to:

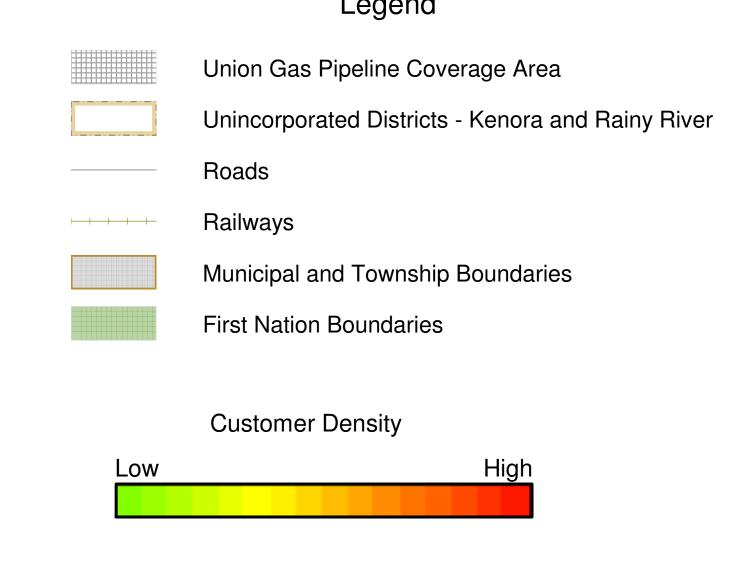
Mr. Patrick McMahon Manager, Regulatory Research and Records Union Gas Limited 50 Keil Drive North Chatham, ON N7M 5M1 pmcmahon@uniongas.com

Telephone: (519) 436-5325







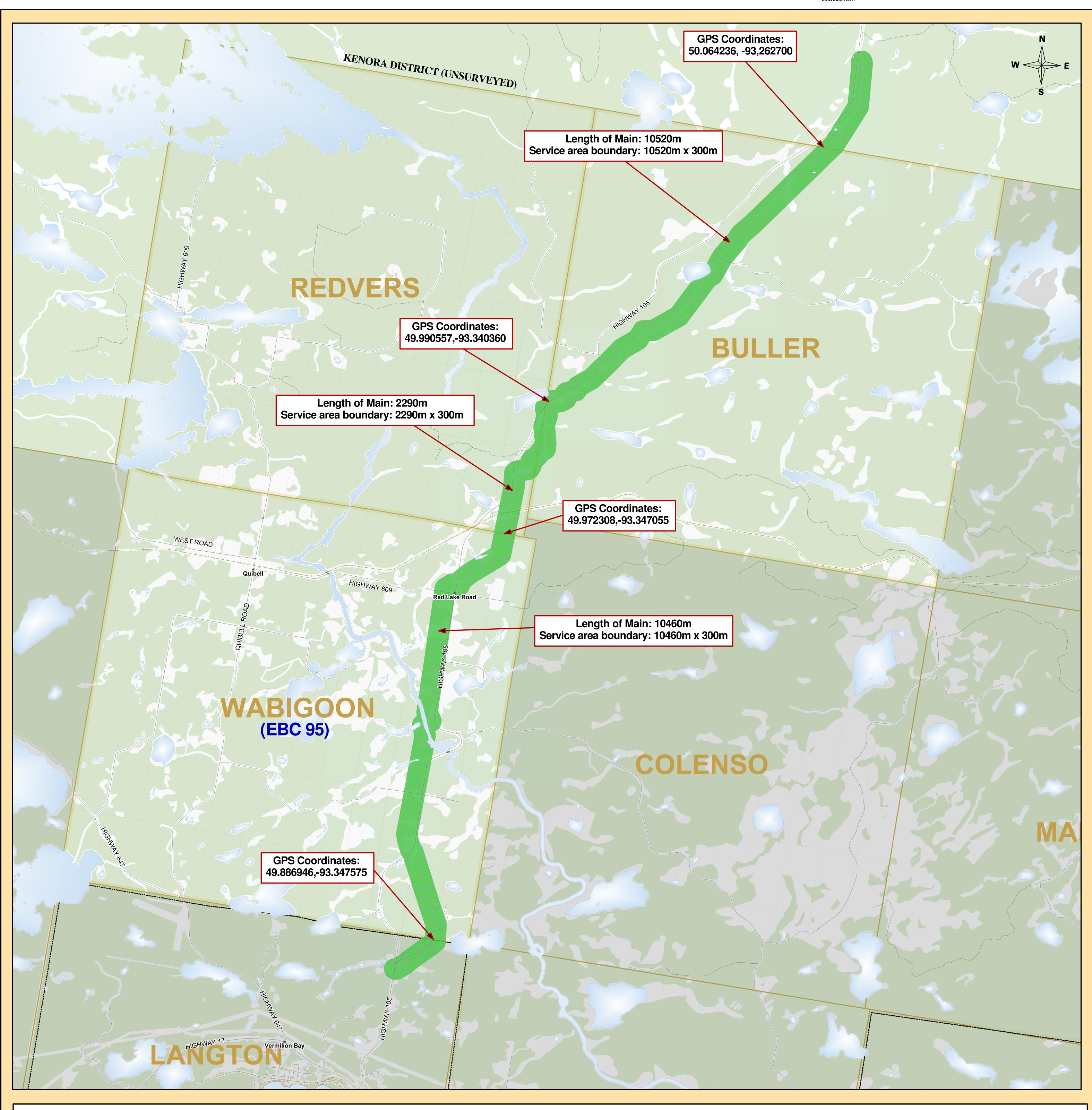


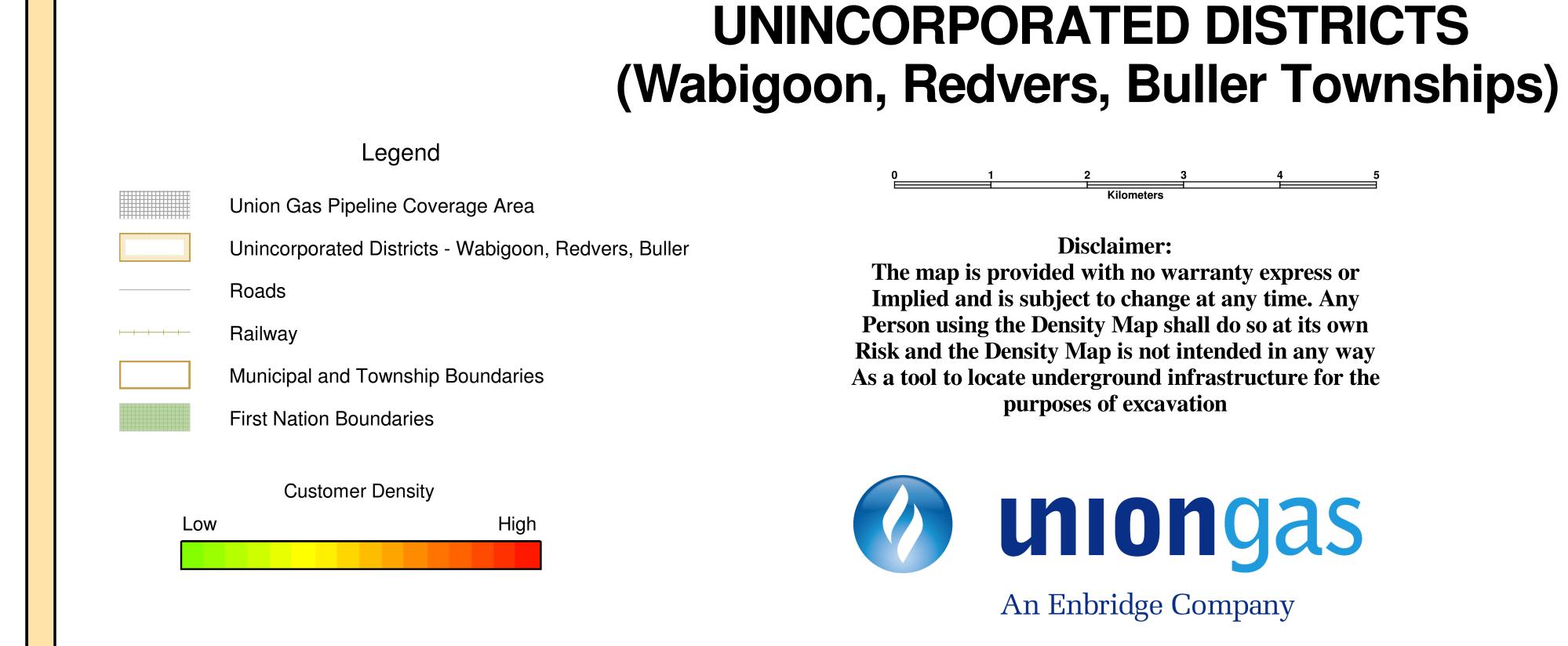


Disclaimer:

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.







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