

March 22, 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 Kenora District
OEB File Number: EB-2017-0114**

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 / unsurveyed Kenora District.

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 / unsurveyed Kenora District.

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 2016 investigation of Certificates, Union identified a customer being served that was thought to be located within the unincorporated / unsurveyed Kenora District. Upon further investigation, it has been determined that this customer is located within the municipal boundaries of the City of Kenora for which Union holds a franchise agreement (RP-2004-0199 / EB-2004-0402) and a Certificate (RP-2004-0199 / EB-2004-0401 issued September 2, 2004).
4. Union has determined that it has facilities in place within the unincorporated / unsurveyed Kenora District from which no end-use customers are provided service. There is no record of a Certificate being issued to Union for the unincorporated / unsurveyed Kenora District.
5. Attached hereto and marked as Schedules A(1), A(2) and A(3) are maps showing the location of the unincorporated / unsurveyed Kenora District as well as customer density and metes & bounds descriptions of the area within the unincorporated / unsurveyed Kenora District in which Union has facilities and provides service to an end-use customer. The proposed Certificate area boundary covers an area 66792m x 300m from GPS Coordinates (50.064420, -93.262532) to GPS Coordinates (50.565456, -93.178434) and an area 33245m x 300m from GPS Coordinates (50.821055, -93.409723) to GPS Coordinates (50.931888, -93.766151).

6. As is noted above, Union has a franchise agreement with and Certificate for the City of Kenora which is the closest municipality to the unincorporated / unsurveyed Kenora District. Union also has a Franchise Agreement (RP-2000-0075 / EB-2000-0208) with the Township of Ear Falls and a Certificate (EBC 55 issued September 19, 1966) to supply gas to the Griffith Mine at Bruce Lake and within a radius of 16 miles which encompasses the municipal boundaries of the Township of Ear Falls.
7. 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.
8. 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
9. 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 / unsurveyed Kenora District.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 22nd 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

CUSTOMER

UNION GAS LIMITED



A Spectra Energy Company

TITLE

KENORA DISTRICT (UNSURVEYED) MAP

DIVISION

Northwest

DRAWN BY

F. Seguin

CHECKED BY

F. Seguin

STATUS

APPROVED

DATE

22/03/2018

SYSTEM

GeoMedia Pro 2015

SCALE

1:220,000

PROJECTION

Universal Transverse Mercator Zone 17

DRAWING

MA2356

VERSION

1.0

DATUM

North America 1983 - CANADA

DATA SOURCE

Union Gas Carrying Facility from GIS System 2017
Base Mapping from DMTI SPATIAL 2016 and MNR LIO 2012-16
TransCanada Pipeline data 2004

DISCLAIMER The location of Union Gas facilities on the following drawing is approximate and is to be used for information purposes only. Union Gas re-affirms that this drawing should not be relied upon to determine the location of any Union Gas facilities, exact location can be determined by calling Ontario One Call 1-800-400-2255

This document is to be used for viewing purposes only. It shall not guarantee gas supply or availability for a specific project. It is for demonstration purposes only indicating natural gas infrastructure.

FILE

X:\Mapping_serv\GeoMedia_Projects\MA2356 - Kenora District Unsurveyed.gws

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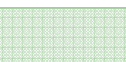
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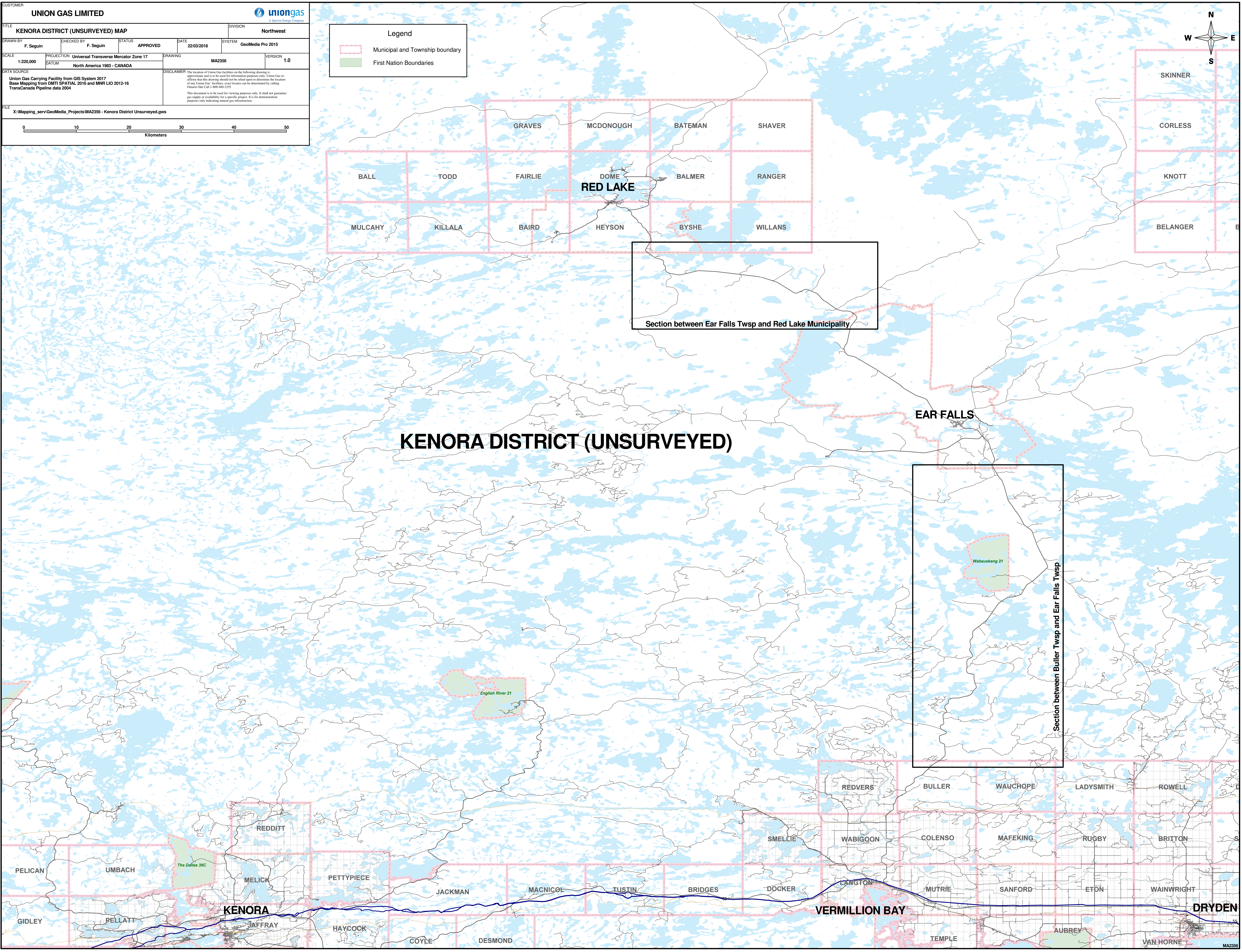
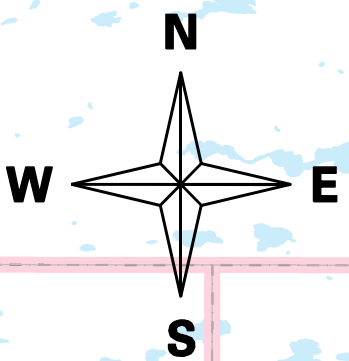
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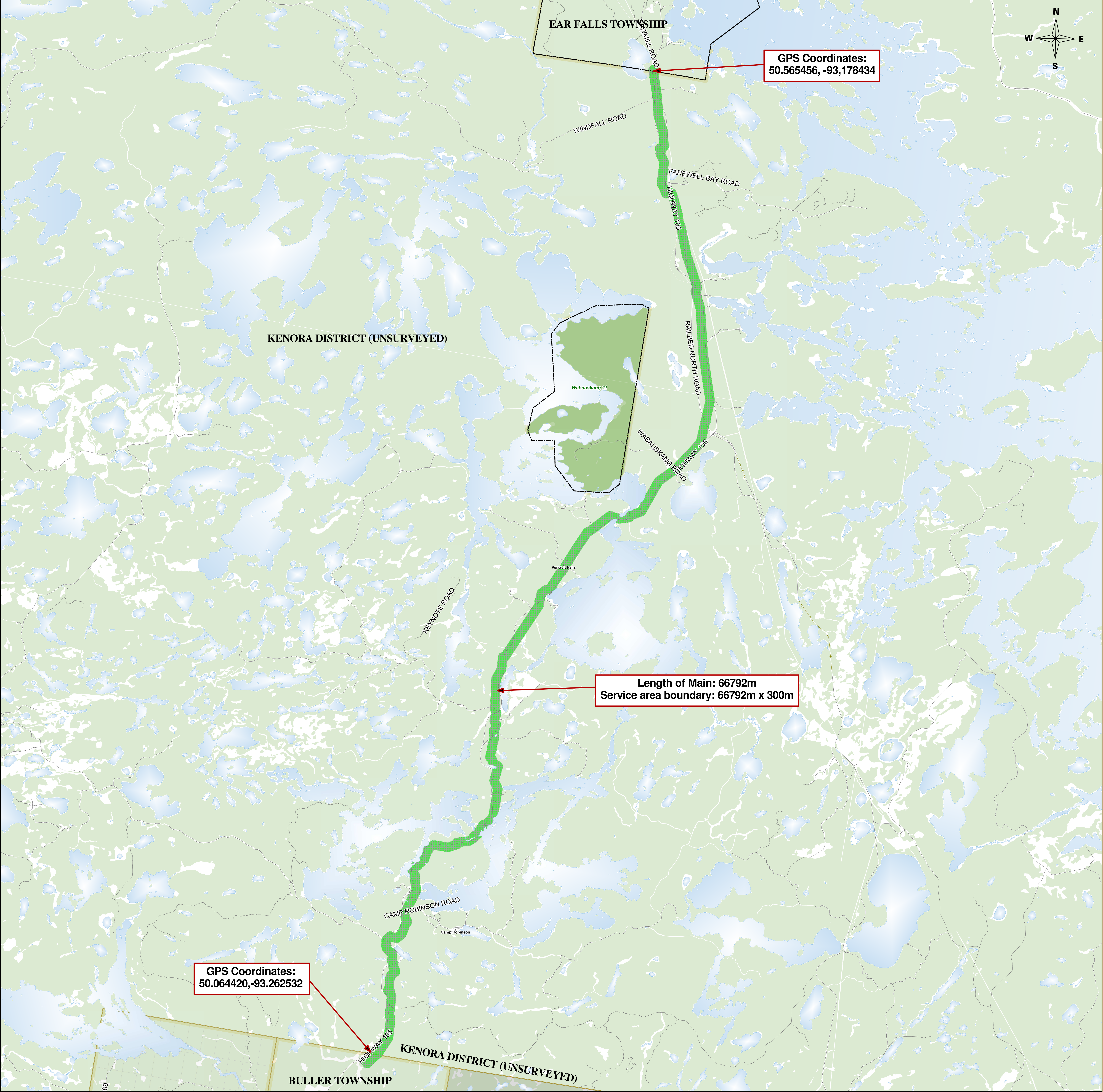
Kilometers

Legend

Municipal and Township boundary

First Nation Boundaries

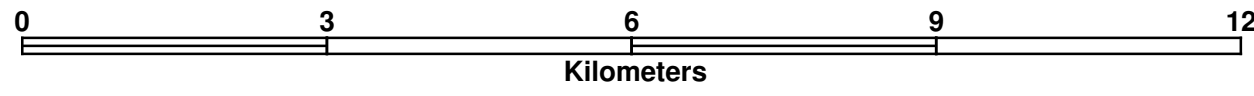
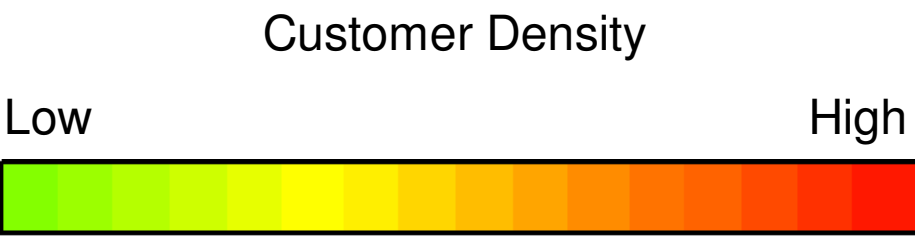




KENORA DISTRICT (UNSURVEYED) (Buller Township to Ear Falls Township)

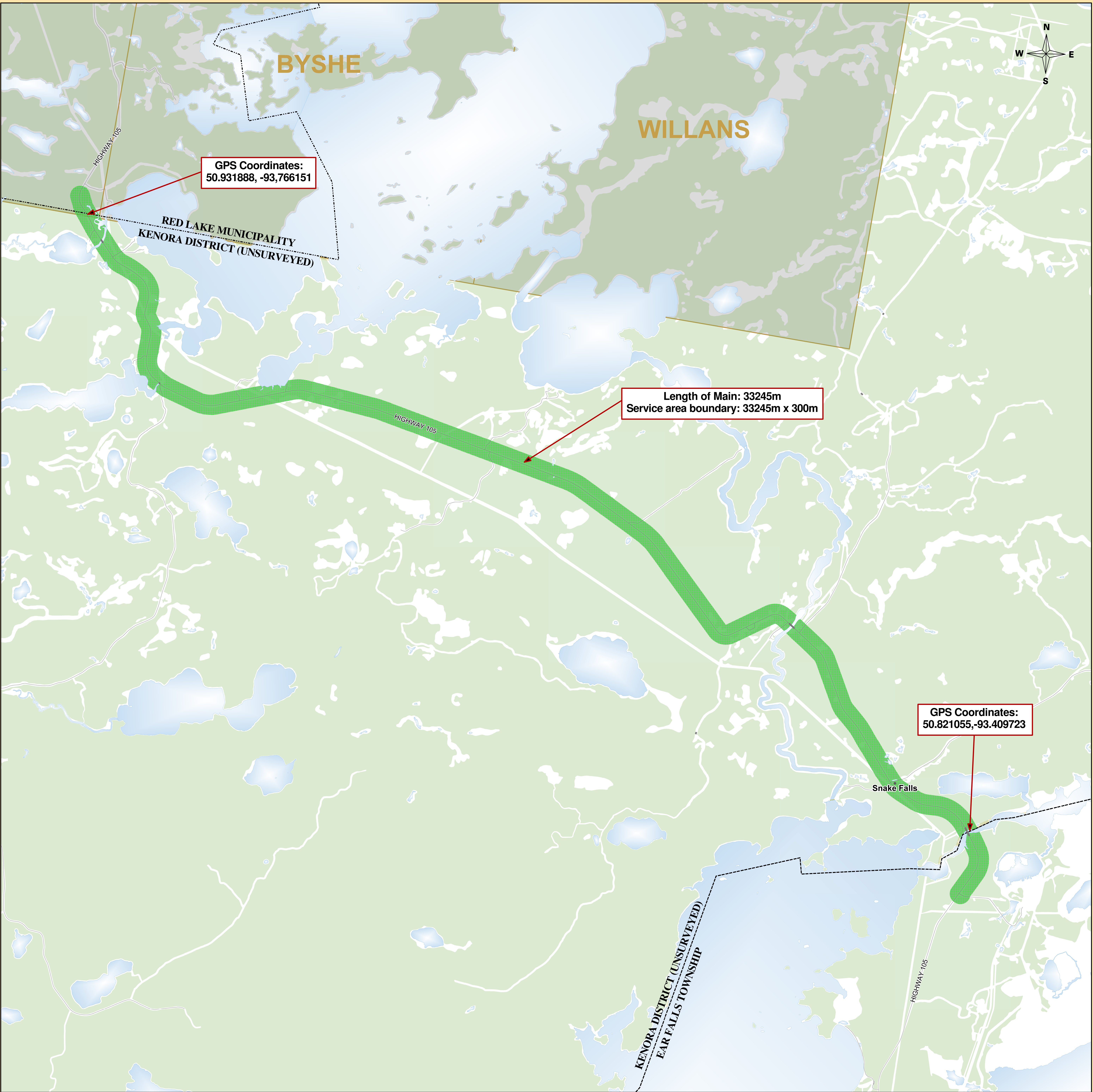
Legend

- Union Gas Pipeline Coverage Area
- Kenora District (unsurveyed) - Buller TP to Ear Falls TP
- Roads
- Railway
- Municipal and Township Boundaries
- First Nation Boundaries



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

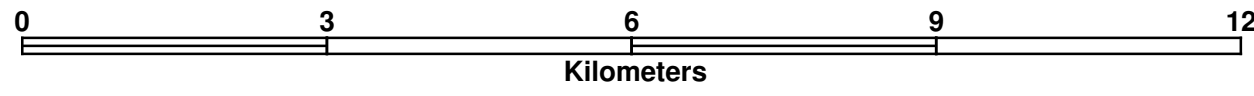
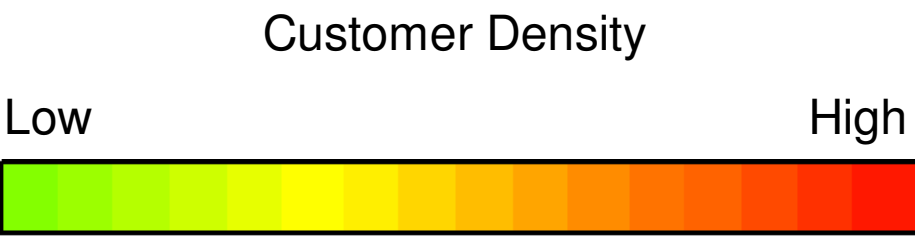




KENORA DISTRICT (UNSURVEYED) (Ear Falls Township to Red Lake Municipality)

Legend

- Union Gas Pipeline Coverage Area
- Kenora District (unsurveyed) - Ear Falls TP to Red Lake Mun.
- Roads
- Railway
- Municipal and Township Boundaries
- First Nation Boundaries



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