

March 22, 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 Townships of Sapawe and Hutchinson
OEB File Number: EB-2017-0116**

On February 27, 2017, Union Gas Limited submitted an application for Orders of the Ontario Energy Board with respect to a Certificate of Public Convenience and Necessity for the unincorporated Township of Sapawe. Upon further investigation, it has been determined that Union's infrastructure is within the unincorporated Township of Sapawe and extends to areas within the unincorporated Township of Hutchinson which surrounds the unincorporated Township of Sapawe.

Union proposes that proceeding EB-2017-0116 now be used to address Certificates for the unorganized Township of Sapawe and the unorganized Township of Hutchinson in order to cover all infrastructure existing in that specific area of Northwestern Ontario.

Attached is an Updated Application by Union Gas Limited for Orders of the Board with respect to Certificates of Public Convenience and Necessity for the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson.

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 the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson.

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 investigations of Certificates, Union identified the unincorporated Township of Sapawe as an area within its Northwest service region approximately 30 km east of Atikokan where Union has infrastructure in place and has been providing service to a customer since 1968. Union was granted a Certificate (EBC 73 dated November 18, 1968, attached as Schedule A) to provide service to this customer that was identified at that time to be within the unincorporated Township of Hutchinson. Union understands that it is more accurate to refer to this customer being within the unincorporated Township of Sapawe.
4. Upon further investigation, it has been determined that the unincorporated Township of Sapawe is surrounded by the unincorporated Township of Hutchinson in which Union has additional infrastructure in place but from which no end-use customers are provided service. There is no record of a Certificate being issued to Union for the unincorporated Township of Hutchinson other than the customer-specific EBC 73.
5. Attached hereto and marked as Schedules B(1) and B(2) are maps showing the location of the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson as well as customer density and metes & bounds descriptions of the areas within these unincorporated townships in which Union has facilities and provides service to an end-use customer. The proposed Certificate area boundary for the unincorporated Township of Sapawe is approximately 2400m x 300m from GPS Coordinates (48.768606, -91.340431) to GPS Coordinates (48.783437, -91.342376). The proposed Certificate area boundary for the unincorporated Township of Hutchinson is approximately 12503m x 300m from GPS Coordinates (48.846055, -91.249353) to GPS Coordinates (48.783237, -91.359576).

6. Union has a Franchise Agreement (EB-2016-0053) with and Certificate of Public Convenience and Necessity (EBC 46) for the Township of Atikokan which is the closest municipality to the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson.
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 Orders pursuant to Section 8 of the *Municipal Franchises Act* cancelling and superseding the existing Certificate of Public Convenience and Necessity EBC 73 and approving Certificates of Public Convenience and Necessity for the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson.

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

E.B.C. 73

PLEGDED TO THE TRUSTEE IN THE

ONTARIO ENERGY BOARD24th SUPPLEMENTAL INDENTURE

IN THE MATTER OF The Municipal Franchises
Act, R.S.O. 1960, Chapter 255, Section 8
and amendments thereto;

AND IN THE MATTER OF an Application by
Northern and Central Gas Corporation
Limited for a Certificate of Public
Convenience and Necessity to construct works
to supply gas to the John Mathieu Lumber
Company Limited at Sapawe Lake in the
Township of Hutchinson in the District of
Rainy River.

B E F O R E :

I. C. MacNabb, Vice-Chairman) Friday, the 8th day
D. M. Treadgold, Q.C., Member) of November, 1968.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

UPON THE APPLICATION of Northern and Central Gas Corporation Limited, (hereinafter referred to as the "Applicant") for a certificate pursuant to the provisions of The Municipal Franchises Act, R.S.O. 1960, Chapter 255, Section 8 and amendments thereto, after notice being duly given to the parties interested as directed by the Board and the matter coming on for hearing before the Board on the 8th day of November, 1968 in Toronto, Ontario, in the presence of Counsel for the applicant, no-one else appearing and upon hearing read the application and the proof of service thereof and upon hearing the evidence adduced and upon hearing Counsel aforesaid:

1. THIS BOARD DOTH ORDER that a Certificate of Public Convenience and Necessity be and the same is hereby granted to Northern and Central Gas Corporation Limited for the supply of natural gas to the John Mathieu Lumber Company Limited at Sapawe Lake in the Township of Hutchinson in the District of Rainy River and for the construction of the works necessary therefor;

2. AND THIS BOARD DOTH FURTHER ORDER that the Certificate of Public Convenience and Necessity hereby granted may be assigned by Northern and Central Gas Corporation Limited to Montreal Trust Company, the trustee under the deed of trust and mortgage, dated as of June 1, 1958 as amended, made between Northern and Central Gas Corporation Limited and Montreal Trust Company, as trustee and to such person, firm or corporation to whom Montreal Trust Company, as

trustee, may assign such Certificate in execution of the trusts under the said deed of trust and mortgage, together with, in each case, all rights and powers, statutory or otherwise, which flow from or are evidenced by such Certificate.

3. AND THIS BOARD DOTH FURTHER ORDER that the costs of this hearing are fixed at \$25.00 and shall be paid forthwith by the Applicant to the Board.

DATED at Toronto, this 18th day of November, 1968.

ONTARIO ENERGY BOARD



Greg Adler
Secretary

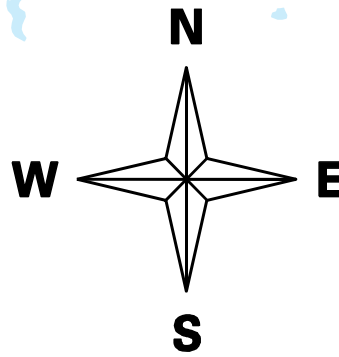
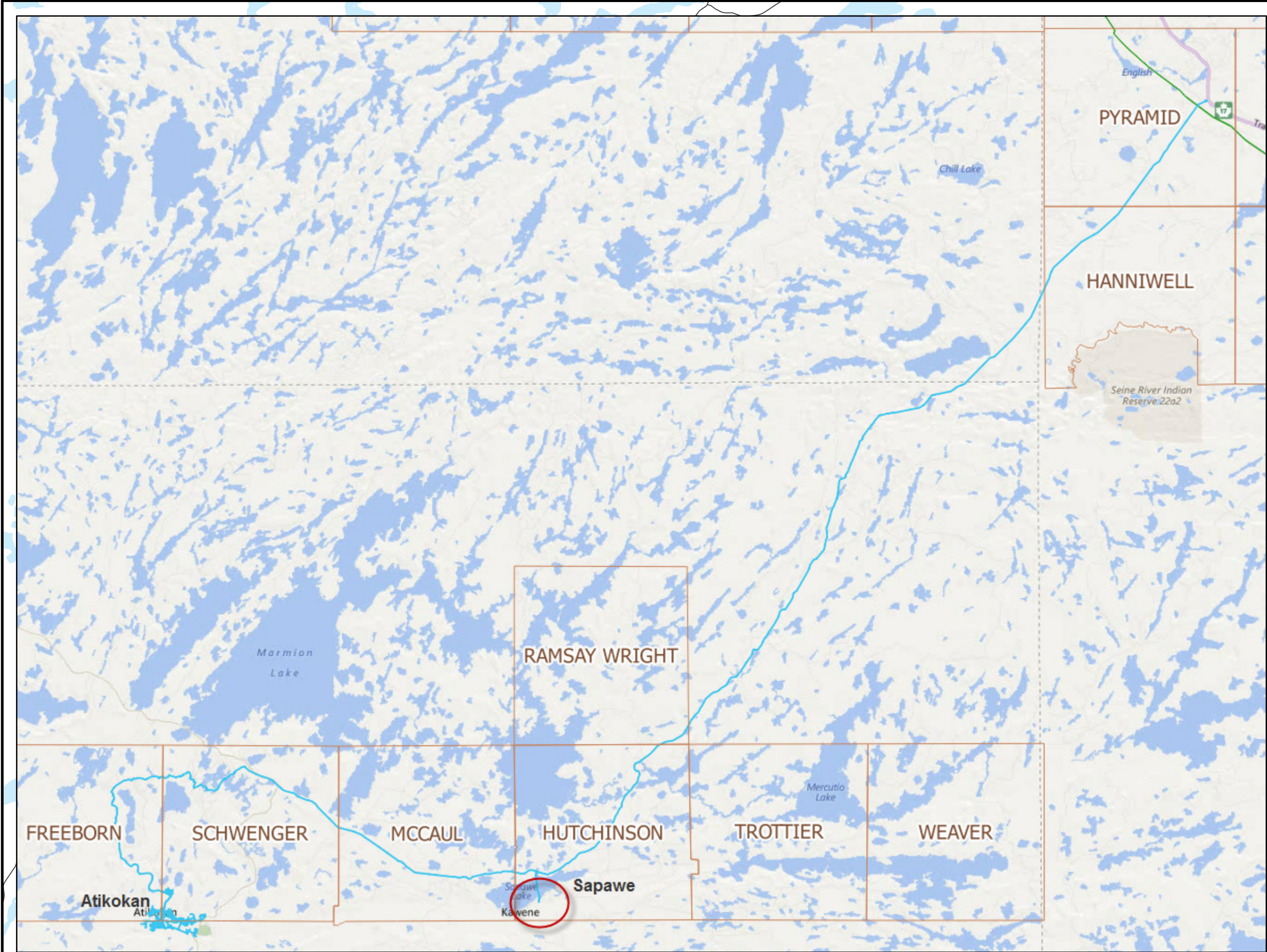
ONTARIO ENERGY BOARD

IN THE MATTER OF The Municipal
Franchises Act, R.S.O. 1960, Chapter
255, Section 8 and amendments thereto;

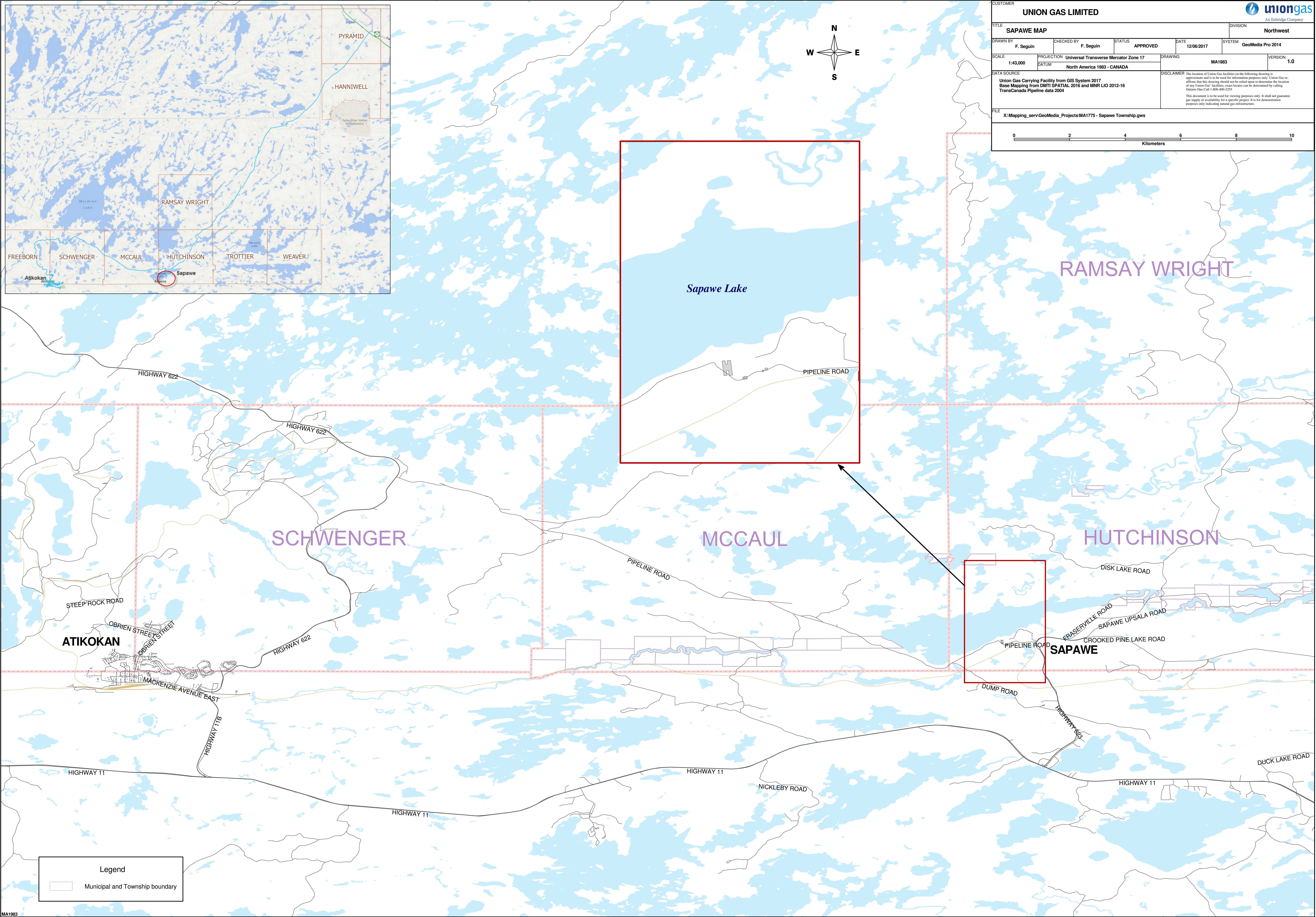
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by Northern and Central Gas Corporation
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Lumber Company Limited at Sapawe Lake
in the Township of Hutchinson in the
District of Rainy River.

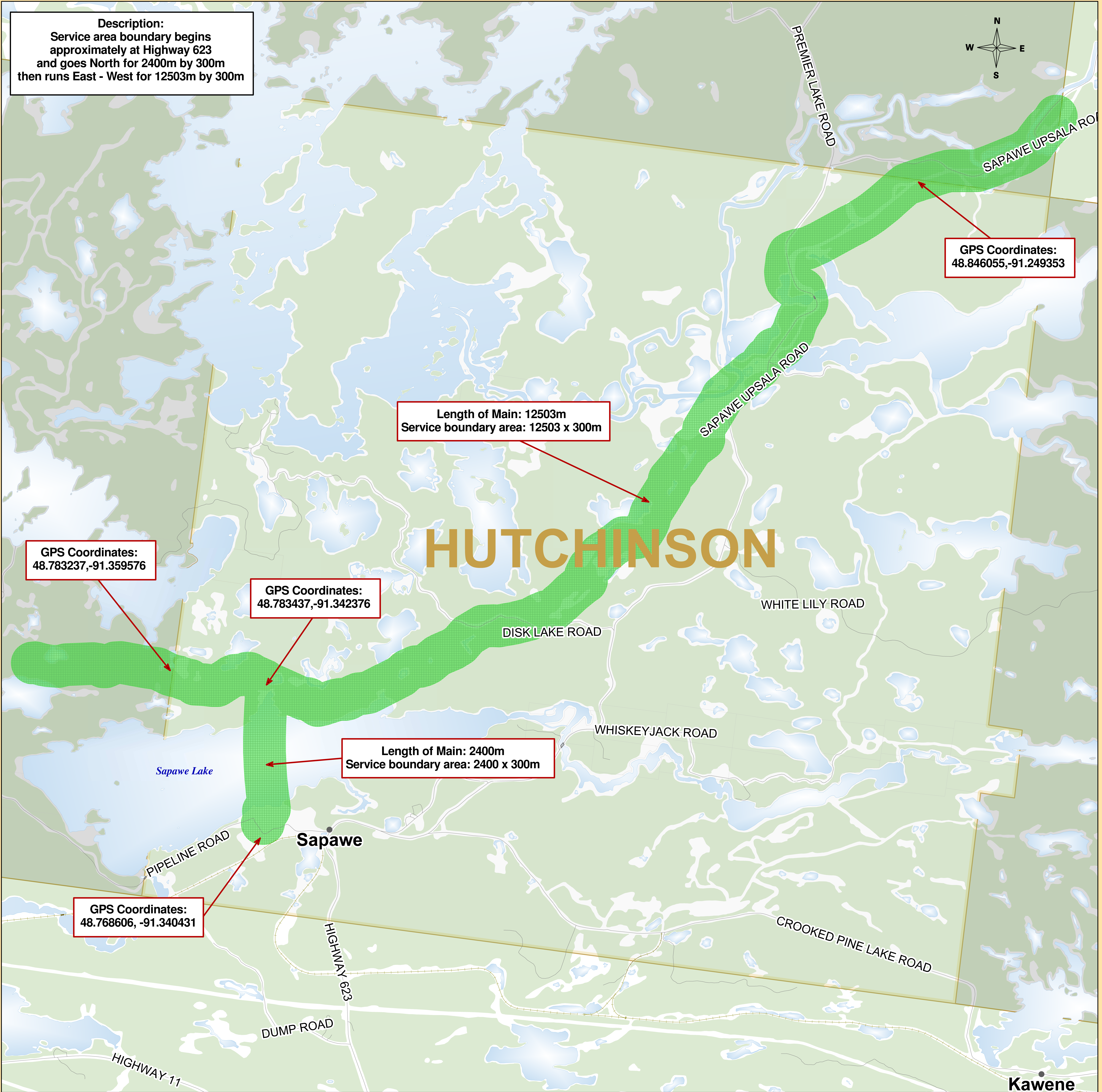
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY

Northern and Central Gas Corporation
Limited,
4600 Toronto-Dominion Centre, Toronto
Ontario.



CUSTOMER						 An Enbridge Company	
UNION GAS LIMITED							
TITLE						DIVISION	
SAPAWA MAP						Northwest	
DRAWN BY		CHECKED BY		STATUS	APPROVED	DATE	SYSTEM
F. Seguin		F. Seguin				12/06/2017	GeoMedia Pro 2014
SCALE	PROJECTION	DRAWING			VERSION		
1:43,000	Universal Transverse Mercator Zone 17				MA1983		
DATUM	North America 1983 - CANADA				1.0		
DATA SOURCE				DISCLAIMER			
Union Gas Carrying Facility from GIS System 2017 Base Mapping from DMTI SPATIAL 2016 and MNR LIO 2012-16 TransCanada Pipeline data 2004				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\MA1775 - Sapawe Township.gws							
0246810 Kilometers							

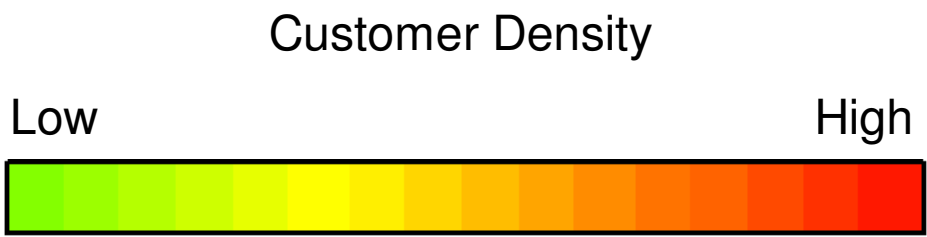




HUTCHINSON TOWNSHIP (SAPAWE)

Legend

- Union Gas Pipeline Coverage Area
- Hutchinson Township - Sapawe
- 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

