

May 3, 2018

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

Dear Ms. Walli:

**Re: EPCOR Natural Gas Limited Partnership
Franchise Agreement with County of Oxford
Board File No. EB-2017-0232**

Pursuant to Procedural Order No. 1 dated April 19, 2018, please find attached Union Gas Limited's interrogatories related to EPCOR's application.

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

Yours truly,

[Original signed by]

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Manager, Regulatory Research and Records
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Encl.

c.c. (email only): Patrick Welsh, Osler, Hoskin & Harcourt LLP
Richard King, Osler, Hoskin & Harcourt LLP
Brian Lippold, EPCOR
Brit Tan, EPCOR

UNION GAS LIMITED
INTERROGATORIES TO EPCOR NATURAL GAS LIMITED PARTNERSHIP

1. *Reference: EPCOR Application, page 1*

“All of NRG’s customers in Oxford are located within lower-tier municipalities with valid franchise agreements. NRG’s natural gas distribution facilities exclusively within Oxford’s jurisdiction relate to three county roads (specifically, Culloden Line, Prouse Road and Brownsville Road), as shown in a diagram attached as Schedule “B”.”

Questions:

- (a) Please confirm that the only lower-tier municipality within the County of Oxford for which EPCOR holds a valid franchise agreement is the Township of South-West Oxford.
- (b) Please confirm that the only areas within the Township of South-West Oxford for which EPCOR holds Certificate of Public Convenience and Necessity rights are: (1) the whole of Lots 15 to 23 in Concession 1; (2) the whole of Lot 24 in Concession 1 except that part of Lot 24 lying north of Highway 401; (3) the whole of Lots 15 to 28 in each of Concessions 2 to 12; (4) the southerly quarter of Lot 14 in Concession 10; and (5) the southerly quarter of Lot 14 in Concession 11.
- (c) Please provide a customer density map showing the location of EPCOR’s customers and facilities within the Township of South-West Oxford.

2. *Reference: EPCOR Application, page 3*

“At Oxford’s request, NRG agreed to remove a reference to the Drainage Act in the Proposed Franchise Agreement and provided Oxford with a revised Proposed Franchise Agreement (the “Revised Franchise Agreement”).”

Questions:

- (a) Please confirm EPCOR’s understanding that the current Model Franchise Agreement resulted from agreements among stakeholders participating in the Ontario Energy Board’s RP-1999-0048 proceeding
- (b) Please confirm EPCOR’s understanding that separate forms of the 2000 Model Franchise Agreement were approved for use with lower-tier and upper-tier municipalities.
- (c) Please confirm that the proposed franchise agreement between EPCOR and the upper-tier County of Oxford is an amended form of the 2000 Model Franchise Agreement approved for use with lower-tier municipalities.
- (d) Please explain the harm to either the County of Oxford or EPCOR’s customers of leaving the clause related to the *Drainage Act* within the franchise agreement.
- (e) Please provide details of any other franchise agreement for an upper-tier municipality in Ontario for which the Ontario Energy Board has approved the removal of the *Drainage Act* clause.
- (f) Please explain why the proposed franchise agreement is in a format that includes changes to:
(i) the titles to each section of the Model Franchise Agreement (“articles” instead of “parts”); (ii) the numbering of the clauses in the Model Franchise Agreement (which in turn results in changes to the references in the definition of ‘Plan’ and within the Alternative Easement clause #11 in the Model Franchise Agreement); (iii) the Duration of Agreement and Renewal Procedures clause #4 of the Model Franchise Agreement; and (iv) the Municipal By-Laws of General Application clause #13 of the Model Franchise Agreement.