

June 12, 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 Townships of Sapawe and Hutchinson - Board File No. EB-2017-0116**

As per the Board's Letter of Direction dated June 8, 2018, enclosed is my Affidavit of Service and Publication in regard to the above-noted proceeding.

Yours truly,

[Original Signed By]

Gary Collins
Analyst II Regulatory Research
Regulatory Research and Records

Encl.

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 to issue a Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Unincorporated Townships of Sapawe and Hutchinson.

-: AFFIDAVIT OF SERVICE:-

I, Gary Collins, of the Municipality of Southwest Middlesex, in the Province of Ontario, make oath and say as follows:

1. I am an employee in the Head Office of Union Gas Limited, the Applicant in the matter referred to in the preamble to this my Affidavit and I have personal knowledge of the matters herein deposed to.
2. By Courier, at Chatham, Ontario, on June 11, 2018, I did cause to be sent to the Ministry of Natural Resources and Forestry a true copy of the Notice of Hearing issued by the Board on June 8, 2018 to the above preamble and a covering letter, attached hereto as Exhibit "A".
3. By Courier, at Chatham, Ontario, on June 11, 2018, I did cause to be sent to the Ministry of Municipal Affairs a true copy of the Notice of Hearing issued by the Board on June 8, 2018 to the above preamble and a covering letter, attached hereto as Exhibit "B".
4. Pursuant to the June 8, 2018, Letter of Direction, attached hereto and marked as Exhibit "C" is a print screen providing proof of information posted to the Union Gas Limited website on June 11, 2018 for public review at <http://www.uniongas.com/aboutus/regulatory/franchises>
5. I make this Affidavit in good faith and for no improper purpose.

SWORN BEFORE ME, at the)
Municipality of Chatham-Kent)
in the Province of Ontario,)
this 12th day of June, 2018) [Original Signed By]
Gary Collins

[Original Signed By]
A Commissioner, etc.

THIS IS EXHIBIT "A" TO THE AFFIDAVIT
OF Greg Collins
SWORN BEFORE ME THIS 12 DAY OF
JUNE 20 18
COMMISSIONER SIGNED BY

A COMMISSIONER, ETC.

June 11, 2018

Matt Myers, District Resource Operations Supervisor
Ministry of Natural Resources and Forestry, Fort Frances District Office
922 Scott Street
Fort Frances, ON P9A 1J4

Dear Mr. Myers:

**RE: Notice of Application
Certificate of Public Convenience and Necessity
The Unincorporated Township of Sapawe and the Unincorporated Township
of Hutchinson
Ontario Energy Board File Number: EB-2017-0116**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated June 8, 2018, Union Gas now serves upon you a copy of the Notice of Application together with a copy of the relevant Application for approval of the Certificate of Public Convenience and Necessity for the Unincorporated Township of Sapawe and the Unincorporated Township of Hutchinson.

The Ontario Energy Board will be arranging for publication of this Notice of Application in the *Atikokan Progress* on June 18, 2018.

Yours very truly,

[Original Signed By]

Patrick McMahon
Supervisor, Regulatory Research and Records
pmcmahon@uniongas.com
(519) 436-5325

Encl.



uniongas

An Enbridge Company

THIS IS EXHIBIT "B" TO THE AFFIDAVIT
OF GARY COLLINS
SWORN BEFORE ME THIS 12 DAY OF
JUNE 20 18
CORRIGNE SIGNED BY

A COMMISSIONER, ETC.

June 11, 2018

Robert Eady, Planner
Ministry of Municipal Affairs, Northern Municipal Services Office
435 James Street South, Suite 223
Thunder Bay, ON P7E 6S7

Dear Mr. Eady:

**RE: Notice of Application
Certificate of Public Convenience and Necessity
The Unincorporated Township of Sapawe and the Unincorporated Township
of Hutchinson
Ontario Energy Board File Number: EB-2017-0116**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated June 8, 2018, Union Gas now serves upon you a copy of the Notice of Application together with a copy of the relevant Application for approval of the Certificate of Public Convenience and Necessity for the Unincorporated Township of Sapawe and the Unincorporated Township of Hutchinson.

The Ontario Energy Board will be arranging for publication of this Notice of Application in the *Atikokan Progress* on June 18, 2018.

Yours very truly,

[Original Signed By]

Patrick McMahon
Supervisor, Regulatory Research and Records
pmcmahon@uniongas.com
(519) 436-5325

Encl.

ONTARIO ENERGY BOARD NOTICE

Union Gas Limited has applied for approval of a certificate of public convenience and necessity for the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson.

Learn more. Have your say.

Union Gas Limited has applied to the Ontario Energy Board for an order granting Union Gas Limited a certificate of public convenience and necessity to construct works to supply natural gas in the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson.

THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider Union Gas' requests. At the end of this hearing, the OEB will decide whether to grant Union Gas' requests.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

In order to distribute natural gas in Ontario, a person must comply with the requirements of the *Municipal Franchises Act*. This Act requires that a person that intends to distribute natural gas within a municipality must first receive approval from the OEB, in the form of a certificate of public convenience and necessity. Where the OEB has issued a certificate for an area but there is currently no natural gas distribution service, another person can apply for a certificate to serve that area. The OEB also regulates the distribution of natural gas within unincorporated townships and unorganized areas in the same manner.

With respect to the unincorporated Township of Sapawe and the unincorporated Township of Hutchinson, facilities providing natural gas service to an end user were put in place prior to Union Gas requesting and receiving approval from the OEB in the form of a certificate. This application addresses this situation.

BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process.

- You can review the application filed by Union Gas on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). Apply by **June 28, 2018** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

The OEB does not intend to provide for an award of costs for this hearing.

LEARN MORE

Our file number for this case is **EB-2017-0116**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please enter the file number **EB-2017-0116** on the OEB website: www.oeb.ca/participate. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB intends to proceed with this application by way of a written hearing. If you think an oral hearing is needed, you can write to the OEB to explain why by **June 28, 2018**.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and email address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.

This hearing will be held under section 8 of the Municipal Franchises Act, R.S.O. 1990, c.M.55.



Ontario Energy Board / Commission de l'énergie de l'Ontario



uniongas

An Enbridge Company

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.

P.O. Box 2001, 50 Keil Drive North, Chatham, ON, N7M 5M1 www.uniongas.com
Union Gas Limited

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

PLEDGED TO THE TRUSTEE IN THE

ONTARIO ENERGY BOARD 2466 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 15th day of November, 1968.

ONTARIO ENERGY BOARD


Ray C. Adler
Secretary

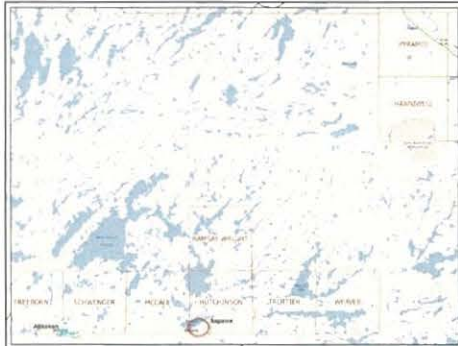
ONTARIO ENERGY BOARD

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

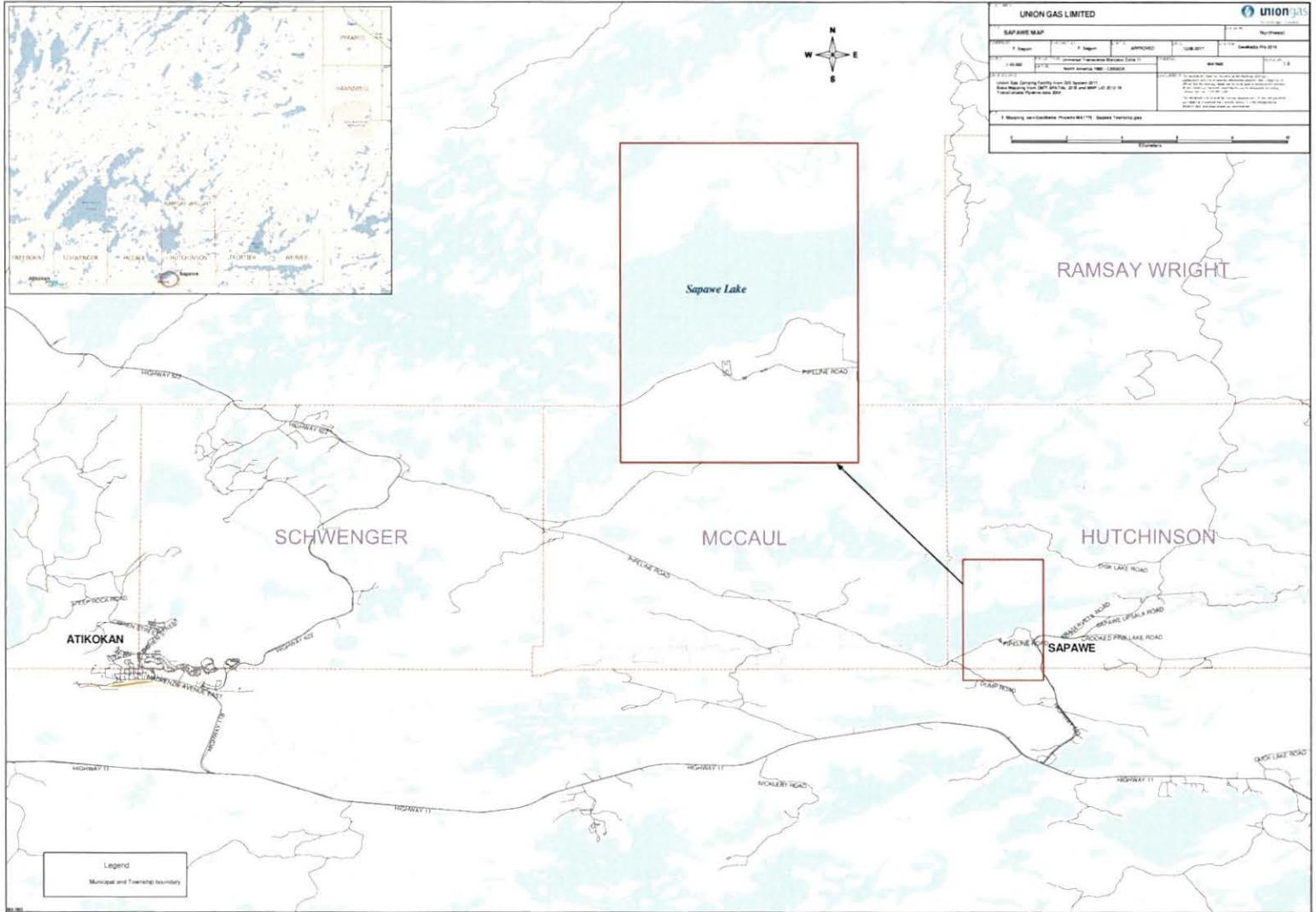
AND IN THE MATTER OF an Application
by Northern and Central Gas Corporation
Limited for a Certificate of Public
Convenience and Necessity to construct
works to supply gas to the John Mathieu
Lumber Company Limited at Sapawe Lake
in the Township of Hutchinson in the
District of Rainy River.

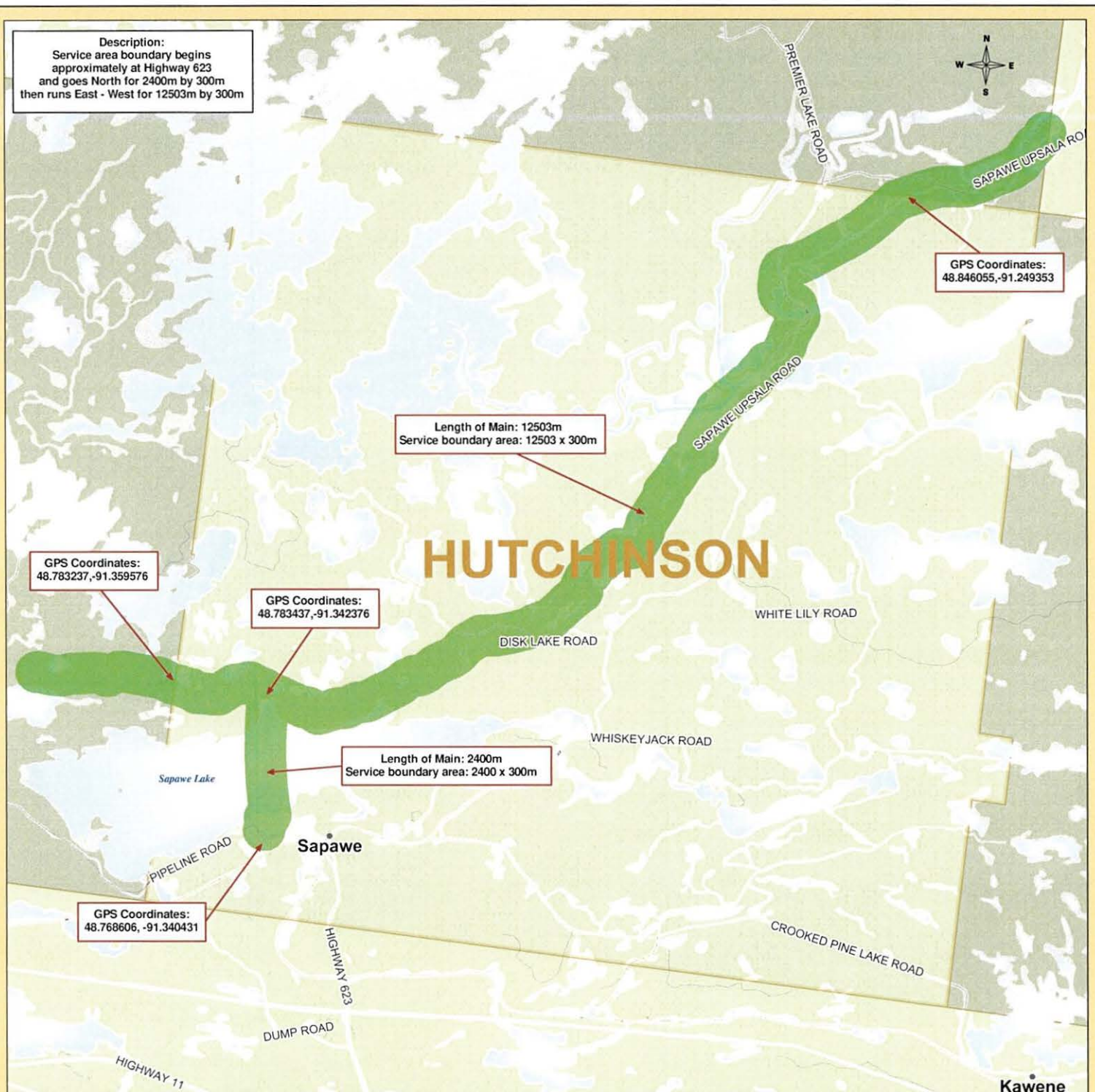
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY

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



UNION GAS LIMITED					
SAPAWE MAP					
Project Name	Project Number	Project Date	Project Status	Project Location	Project Owner
Sapawe	1000000000	2017	Completed	Ontario, Canada	Union Gas
Union Gas is a subsidiary of Enbridge Inc. (NYSE:ENB). Union Gas is a leading provider of natural gas services in North America. Union Gas is committed to safety, integrity, and environmental stewardship. Union Gas is a member of the International Brotherhood of Teamsters (IBT).					
This map is a representation of the project area and is not intended to be used for any other purpose. Union Gas is not responsible for any errors or omissions in this map. Union Gas is not responsible for any damages or liabilities arising from the use of this map.					
Map Scale: 1:100,000 Map Date: 2017 Map Author: Union Gas Map Reviewer: Union Gas Map Approval: Union Gas					





HUTCHINSON TOWNSHIP (SAPAWÉ)

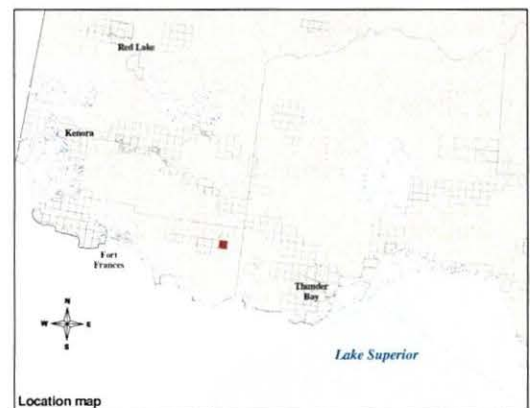
Legend

- Union Gas Pipeline Coverage Area
- Hutchinson Township - Sapawé
- Roads
- Railway
- Municipal and Township Boundaries
- First Nation Boundaries

Customer Density



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



THIS IS EXHIBIT "C" TO THE AFFIDAVIT
OF GARY COUROS
SWORN BEFORE ME THIS 12 DAY OF
JUNE 20 18
COMMISSIONER SIGNED 27
A COMMISSIONER, ETC.



<https://www.uniongas.com/about-us/company-overview/regulatory>

67%



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Franchises

EB-2017-0100 - Overlapping Certificates of Public Convenience and Necessity

- [Application](#)
- [Notice of Application \(English\)](#)
- [Notice of Application \(French\)](#)

EB-2017-0112 - Unincorporated Township of McKenzie-Portage

- [Application](#)
- [Notice of Application](#)

EB-2017-0113 - Unincorporated Township of Grenfell

- [Application](#)
- [Notice of Application](#)

EB-2017-0115 - Unincorporated Township of Schwenger

- [Application](#)
- [Notice of Application](#)

EB-2017-0116 - Unincorporated Townships of Sapawe and Hutchinson

- [Application](#)
- [Notice of Application](#)

EB-2017-0117 - Unincorporated Community of Lorrain Valley

- [Application](#)
- [Notice of Application](#)

EB-2018-0184 - Township of Seguin

- [Application](#)
- [Notice of Application](#)