



uniongas

An Enbridge Company

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 Township of McKenzie-Portage - Board File No. EB-2017-0112**

As per the Board's Letter of Direction dated June 11, 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 Township of McKenzie-Portage.

-: 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 12, 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 11, 2018 to the above preamble and a covering letter, attached hereto as Exhibit "A".
3. By Courier, at Chatham, Ontario, on June 12, 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 11, 2018 to the above preamble and a covering letter, attached hereto as Exhibit "B".
4. Pursuant to the June 11, 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 12, 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.



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An Enbridge Company

THIS IS EXHIBIT "A" TO THE AFFIDAVIT
OF Gary Collins
SWORN BEFORE ME THIS 12 DAY OF
JUNE 20 18
CONRAD SIMON 370
A COMMISSIONER, ETC.

June 12, 2018

Jessica Malone, District Planner
Ministry of Natural Resources and Forestry, Kenora District Office
808 Robertson Street, P.O. Box 5080
Kenora, ON P9N 3X9

Dear Ms. Malone:

**RE: Notice of Application
Certificate of Public Convenience and Necessity
The Unincorporated Township of McKenzie-Portage
Ontario Energy Board File Number: EB-2017-0112**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated June 11, 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 McKenzie-Portage.

The Ontario Energy Board will be arranging for publication of this Notice of Application in the *Kenora Lake of the Woods Enterprise* on June 21, 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 10 TO THE AFFIDAVIT
OF Garry Collins
SWORN BEFORE ME THIS 12 DAY OF
JUNE 20 18

Commissioner signed by
A COMMISSIONER, ETC.

June 12, 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 McKenzie-Portage
Ontario Energy Board File Number: EB-2017-0112**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated June 11, 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 McKenzie-Portage

The Ontario Energy Board will be arranging for publication of this Notice of Application in the *Kenora Lake of the Woods Enterprise* on June 21, 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 McKenzie-Portage.

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 McKenzie-Portage.

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 McKenzie-Portage, facilities providing natural gas service to end users 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 **July 3, 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-2017-0112**. 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-2017-0112** 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 **July 3, 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 13, 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 Township of McKenzie-Portage
OEB File Number: EB-2017-0112**

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 Township of McKenzie-Portage.

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 Township of McKenzie-Portage.

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 investigation of Certificates, Union identified 9 customers being served within the unincorporated Township of McKenzie-Portage which is just off Highway 17 in the District of Kenora with the earliest service installations being in 1993 and the most recent in 2011. There is no record of a Certificate being issued to Union for the unincorporated Township of McKenzie-Portage.
4. Attached hereto and marked as Schedules "A(1)" and "A(2)" are maps showing the location of the unincorporated Township of McKenzie-Portage as well as customer density and metes & bounds descriptions of the area within the unincorporated Township of McKenzie-Portage in which Union has facilities and provides service to end-use customers. The proposed Certificate area boundary begins 347m west of the intersection of Fourth Street and Highway 17 and covers an area 1.8 km x 0.3 km.
5. 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 Township of McKenzie-Portage.
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* approving a Certificate of Public Convenience and Necessity for the unincorporated Township of McKenzie-Portage.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 13th day of March, 2018.

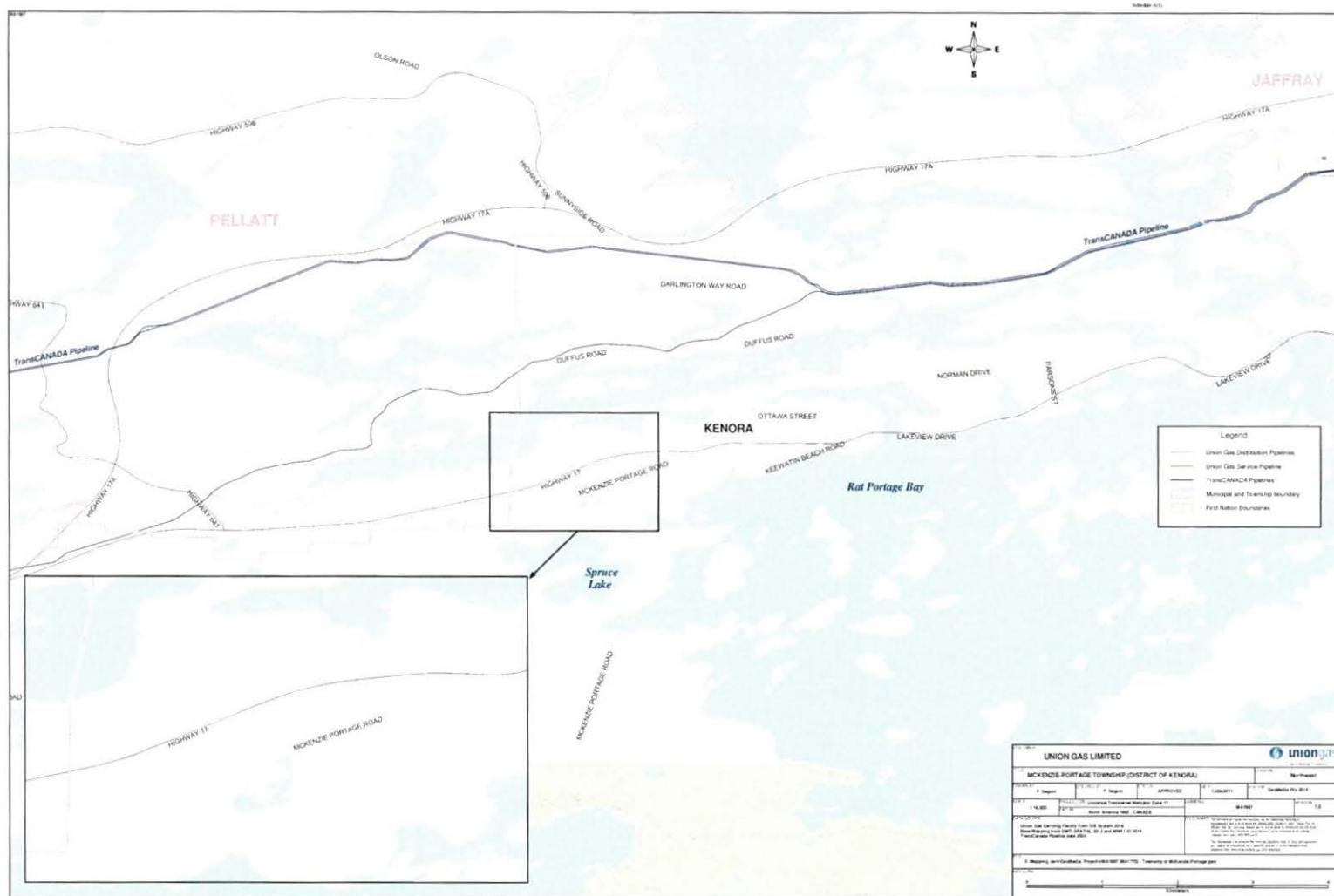
UNION GAS LIMITED

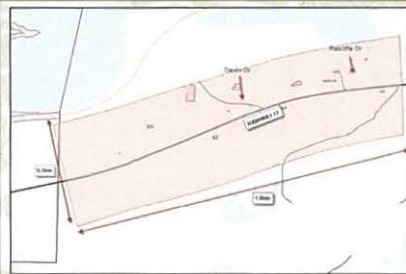
[Original signed by]

Patrick McMahon
Manager, Regulatory Research and Records

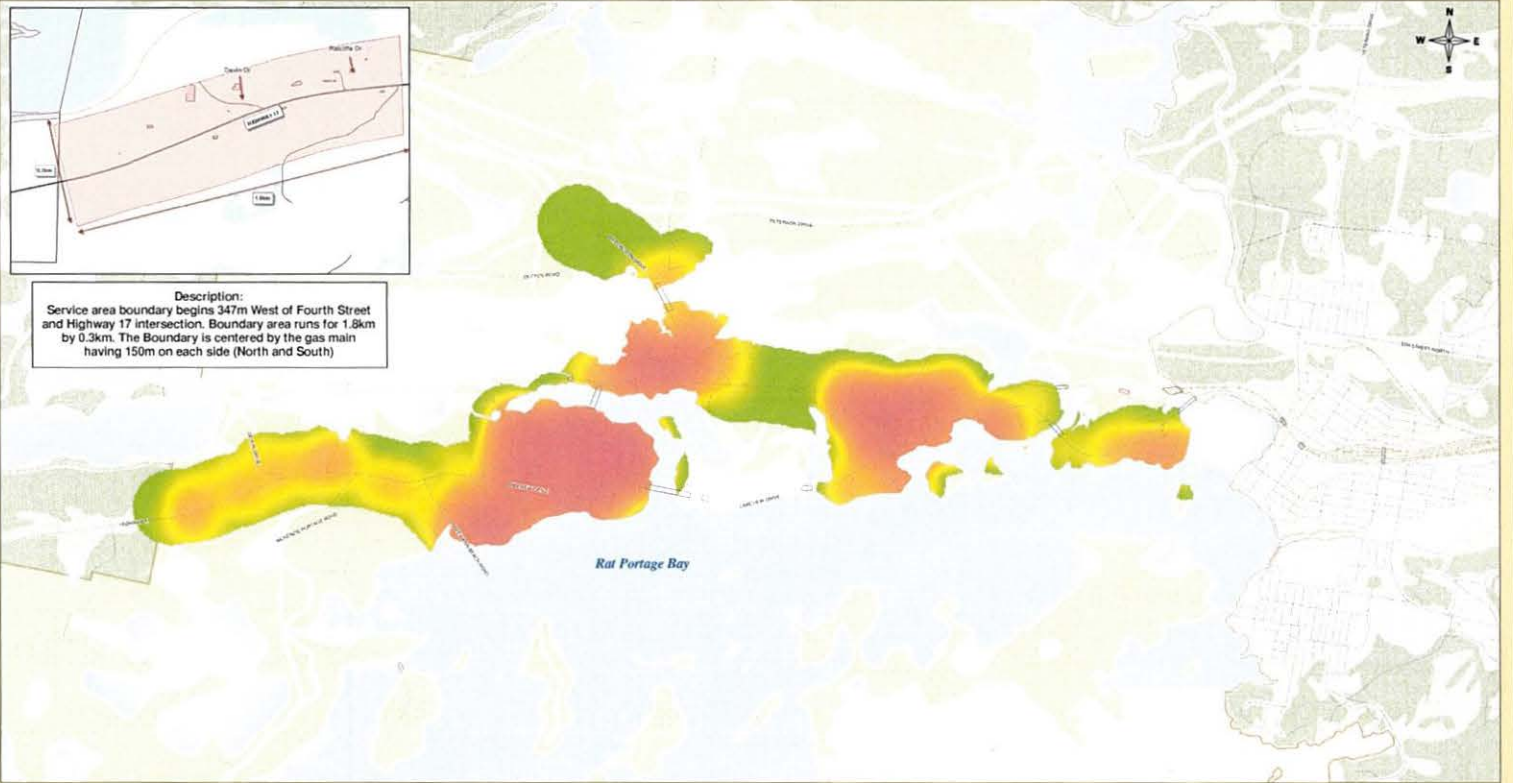
Comments respecting this Application should be directed to:

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





Description:
Service area boundary begins 347m West of Fourth Street and Highway 17 intersection. Boundary area runs for 1.8km by 0.3km. The Boundary is centered by the gas main having 150m on each side (North and South)



Legend

- Union Gas Pipeline Coverage Area
- McKenzie Portage Township
- Roads
- Railway
- Municipal and Township Boundaries
- First Nation Boundaries



McKENZIE PORTAGE



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 11 TO THE AFFIDAVIT
OF Gray Coleman
SWORN BEFORE ME THIS 12 DAY OF
JUNE 20 18
COMBINE SIGNED BY
A COMMISSIONER, ETC.



https://www.uniongas.com/about-us/company-overview/regulator

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Franchises

EB-2017-0108 - 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 Sapaw 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](#)