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

DECISION AND ORDER EB-2017-0109

UNION GAS LIMITED

Application for a Certificate of Public Convenience and Necessity for the Township of Buller, Township of Freeborn, Township of Hanniwell, Township of McCaul, Township of Pyramid, unsurveyed District of Rainy River, Township of Ramsay Wright and Township of Redvers

By Delegation, before: Pascale Duguay

July 19, 2018

INTRODUCTION AND SUMMARY

This Decision and Order grants a certificate of public convenience and necessity under the *Municipal Franchises Act* to Union Gas Limited (Union Gas), for a limited area within each of the Township of Buller, Township of Freeborn, Township of Hanniwell, Township of McCaul, Township of Pyramid, unsurveyed District of Rainy River, Township of Ramsay Wright and Township of Redvers, each of which are unincorporated communities located in northwestern Ontario.

THE PROCESS

Union Gas applied on February 24, 2017 under section 8 of the *Municipal Franchises Act* for an order of the Ontario Energy Board (OEB) granting Union Gas a certificate of public convenience and necessity to construct works to supply gas in the eight unincorporated communities identified above.

By letter dated May 24, 2017, the OEB put the application on hold pending the completion of the South Bruce Expansion Proceeding.¹

Union Gas filed an updated application on March 15, 2018.

The OEB held a written hearing. A Notice of Hearing was published in local newspapers on June 21, 2018. The Ministry of Natural Resources and the Ministry of Municipal Affairs, which serve as authorities for public lands and for areas with ministerial zoning orders within unincorporated townships, such as the eight unincorporated communities, were served with a copy of the application and Notice of Hearing. There were no intervenors.

THE APPLICATION

Union Gas is a corporation incorporated under the laws of the Province of Ontario, with its head office in the Municipality of Chatham-Kent.

The eight unincorporated communities are located in northwestern Ontario. Specifically: the Township of Buller and Township of Redvers are located in Kenora District; the Township of Hanniwell and Township of Pyramid are located in Thunder Bay District;

¹ Decision and Order, EB-2016-0137, EB-2016-0138 and EB-2016-0139, issued April 12, 2018.

and, the Township of Freeborn, Township of McCaul, Township of Ramsay Wright and unsurveyed District of Rainy River are located in the District of Rainy River.

On August 19, 2016, Union Gas was directed by the OEB to file a report confirming that the utility had obtained certificates of public convenience and necessity covering the geographic areas in which its facilities are located.

During its investigation, Union Gas identified facilities in place in the eight unincorporated communities.

Union Gas applied for a certificate for the eight unincorporated communities limited to the area necessary to serve the existing facilities. Initially, Union Gas supplied a map identifying all of its existing gas mains in the eight unincorporated communities. Union Gas requested confidential treatment for the gas mains map, pursuant to the OEB's *Practice Direction on Confidential Filings*. The grounds for its confidential treatment included that the information contained therein is proprietary and subject to periodic change; and that it contains highly sensitive information from public safety, system security and customer personal information perspectives.

In accordance with the OEB's direction, Union Gas updated its application by filing a customer density map and a written metes and bounds description of the areas for which it was seeking a certificate.

The metes and bounds descriptions of the areas for which Union Gas is requesting a certificate are as follows:

- Township of Buller (Kenora District): 10,520 m x 300 m running from GPS coordinates (49.9900557, -93.340360) to GPS coordinates (50.064236, -93.262700)
- Township of Freeborn (District of Rainy River): 11,256 m x 300 m running from GPS coordinates (48.773583, -91.621237) to GPS coordinates (48.829609, -91.622618)
- Township of Hanniwell (Thunder Bay District): 5,943 m x 300 m running from GPS coordinates (49.071407, -90.961842) to GPS coordinates (49.108549, -90.905127)

- Township of McCaul (District of Rainy River): 10,456 m x 300 m running from GPS coordinates (48.805059, -91.489635) to GPS coordinates (48.783237, -91.359576)
- Pyramid Township (Thunder Bay District): 7,429 m x 300 m running from GPS coordinates (49.108549, -90.905127) to GPS coordinates (49.160541, -90.842625)
- Unsurveyed District of Rainy River (District of Rainy River): 25,300 m x 300 m running from GPS coordinates (48.856329, -91.227896) to GPS coordinates (49.020196, -91.030029)
- Township of Ramsay Wright (District of Rainy River): 2,050 m x 300 m running from GPS coordinates (48.846055, -91.249353) to GPS coordinates (48.856329, -91.227896)
- Redvers Township (Kenora District): 2,290 m x 300 m running from GPS coordinates (49.972308, -93.347055) to GPS coordinates (49.990557, -93.340360)

OEB FINDINGS

I approve the application for the following reasons.

The OEB has jurisdiction under section 8 of the *Municipal Franchises Act* to grant certificates of public convenience and necessity to an entity proposing to construct works to supply or to supply gas in an unorganized territory, such as the eight unincorporated communities.²

I find that it is in the public interest for Union Gas to continue to have gas facilities in the eight unincorporated communities and therefore will approve the certificate as requested by Union Gas.

I find that the customer density map submitted by Union Gas on March 15, 2018 adequately serves the purpose of the information being sought by the OEB in this proceeding; namely, to accurately inform the OEB of the distributor's service boundaries in the eight unincorporated communities, as well as the general location and density of

² Decision with Reasons, E.B.C. 211 (at para. 1.3.19), issued November 29, 1994.

customers served. Given the sufficiency of the customer density map in meeting the OEB's purposes for deciding the application, the gas mains map will not be placed on the record of this proceeding.

IT IS ORDERED THAT:

- 1. The certificate of public convenience and necessity, attached as Schedule A to this Decision and Order, is granted to Union Gas Limited to construct works to supply gas in the Township of Buller, Township of Freeborn, Township of Hanniwell, Township of McCaul, Township of Pyramid, unsurveyed District of Rainy River, Township of Ramsay Wright and Township of Redvers, limited to the boundaries of Union Gas Limited's existing service areas, as outlined in the maps attached as Schedule B hereto.
- 2. Union Gas Limited shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at Toronto, July 19, 2018

ONTARIO ENERGY BOARD

Original Signed By

Pascale Duguay Manager, Application Policy and Climate Change

SCHEDULE A

EB-2017-0109

DATED: July 19, 2018

Certificate of Public Convenience and Necessity

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

Union Gas Limited

approval under section 8 of the *Municipal Franchises Act,* R.S.O. 1990, c. M.55, as amended, to construct works to supply gas to the

Township of Buller and Township of Redvers (Kenora District); Township of Hanniwell and Township of Pyramid (Thunder Bay District); Township of Freeborn, Township of McCaul, Township of Ramsay Wright and unsurveyed District of Rainy River (District of Rainy River)

limited to the area outlined in the map attached to this Decision and Order as Schedule B.

DATED at Toronto, July 19, 2018

ONTARIO ENERGY BOARD

Original Signed By

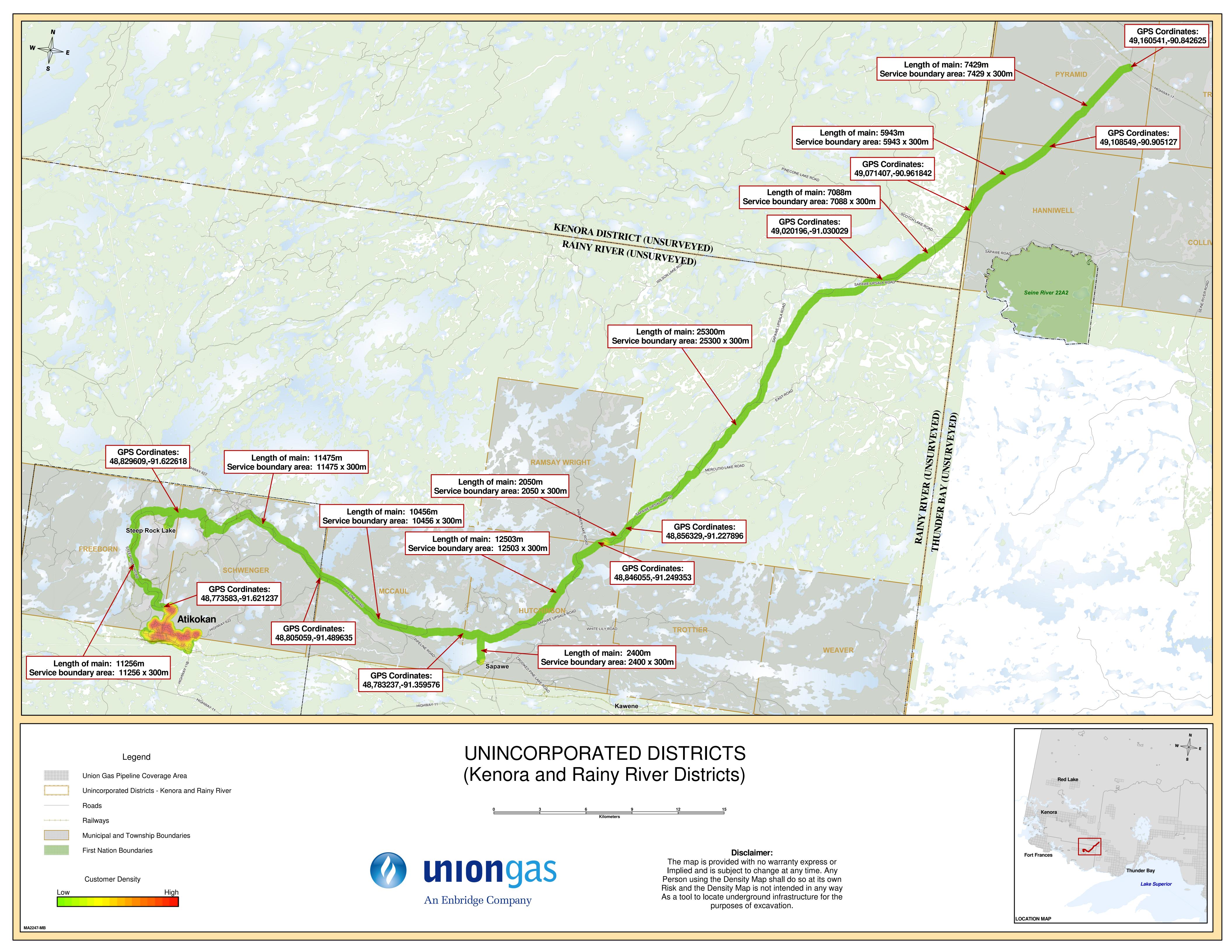
Pascale Duguay Manager, Application Policy and Climate Change

SCHEDULE B

EB-2017-0109

DATED: July 19, 2018

Maps of Union Gas Limited's Authorized Service Area in the Township of Buller,
Township of Freeborn, Township of Hanniwell, Township of McCaul, Township of
Pyramid, unsurveyed District of Rainy River, Township of Ramsay Wright and
Township of Redvers





(Wabigoon, Redvers, Buller Townships) Legend Union Gas Pipeline Coverage Area

Legend

Union Gas Pipeline Coverage Area

Unincorporated Districts - Wabigoon, Redvers, Buller
Roads
Railway

Municipal and Township Boundaries

First Nation Boundaries

Customer Density

Low

High

MA2248 MB

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



