

July 24, 2018

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

Dear Ms. Walli:

**Re: Certificate of Public Convenience and Necessity
Unincorporated Township of Eby
Board File – EB-2017-0111**

As per the Board's Letter of Direction dated July 19, 2018 with respect to the approval of the Certificate of Public Convenience and Necessity for the Unincorporated Township of Eby enclosed is my Affidavit of Service in regard to the above-noted proceeding.

Yours truly,

[Original signed by]

Gary Collins
Sr. Analyst Regulatory Research
Regulatory Research and Records

Encl.

/la

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 Eby.

-: 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 July 23, 2018 I did cause to be sent to the Ministry of Natural Resources and Forestry a true copy of the Decision and Order issued by the Board on July 19, 2018, to the above preamble and a covering letter, attached hereto as Exhibit "A".
3. By Courier, at Chatham, Ontario, on July 23, 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 July 19, 2018 to the above preamble and a cover letter, attached hereto as Exhibit "B".
4. The courier bill of lading is attached hereto as Exhibit "C".
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 24th day of July, 2018.) [Original signed by]
Gary Collins

[Original signed by]
A Commissioner, etc.



uniongas

An Enbridge Company

THIS IS EXHIBIT "A" TO THE AFFIDAVIT
OF Long Courts
SWORN BEFORE ME THIS 24 DAY OF
July 20 18
Continued signed by
A COMMISSIONER, ETC.

July 23, 2018

Rick Gordon, District Planner – Acting
Ministry of Natural Resources and Forestry, Kirkland Lake District Office
10 Government Road East, PO Box 910
Kirkland Lake, ON P2N 3K4

Dear Mr. Gordon:

**Re: Certificate of Public Convenience and Necessity
Unincorporated Township of Eby
Ontario Energy Board File Number: EB-2017-0111**

The Ontario Energy Board has issued its Decision and Order dated July 19, 2018 which approves the above-noted Certificate of Public Convenience and Necessity. Union now serves upon you a copy of the Decision and Order.

As outlined in the Decision and Order, the Certificate of Public Convenience and Necessity is limited to the area within the Unincorporated Township of Eby within which Union currently has facilities in place.

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

Yours truly,

[Original signed by]

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

Encl.



uniongas

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July 23, 2018

THIS IS EXHIBIT 'B' TO THE AFFIDAVIT
OF Eby Cells
SWORN BEFORE ME THIS 24 DAY OF
July 20 18
Original Signed by
A COMMISSIONER, ETC.

Wendy Kaufman, Manager
Ministry of Municipal Affairs, Northern Municipal Services Office
159 Cedar Street, Suite 401
Sudbury, ON P3E 6A5

Dear Ms. Kaufman:

**Re: Certificate of Public Convenience and Necessity
Unincorporated Township of Eby
Ontario Energy Board File Number: EB-2017-0111**

The Ontario Energy Board has issued its Decision and Order dated July 19, 2018 which approves the above-noted Certificate of Public Convenience and Necessity. Union now serves upon you a copy of the Decision and Order.

As outlined in the Decision and Order, the Certificate of Public Convenience and Necessity is limited to the area within the Unincorporated Township of Eby within which Union currently has facilities in place.

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

Yours truly,

[Original signed by]

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

Encl.



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

DECISION AND ORDER

EB-2017-0111

UNION GAS LIMITED

Application for a Certificate of Public Convenience and Necessity for the
Township of Eby

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 the Township of Eby.

THE PROCESS

Union Gas applied on February 27, 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 unincorporated Township of Eby.

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 the local newspaper on June 20, 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 Township of Eby, 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 Township of Eby is an unincorporated township in the Timiskaming District of Northeastern Ontario.

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

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 a customer being served within the Township of Eby since 1982. There is no record of a certificate being issued to Union Gas for the Township of Eby.

Union Gas applied for a certificate for the Township of Eby limited to the area necessary to serve the existing customer. Initially, Union Gas supplied a map identifying all of its existing gas mains in the Township of Eby. 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 area for which it was seeking a certificate.

The metes and bounds description of the area for which Union Gas is requesting a certificate is as follows: the boundary area running 808 m x 300 m west of Normick Perron and MTO PRS 551142937 Station (located 132.5 m north of Highway 66) within the Township of Eby.

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 Township of Eby.²

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

I find that it is in the public interest for Union Gas to continue to provide gas service to the affected customer in the Township of Eby 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 Township of Eby, as well as the general location and density of 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 Eby, limited to the boundaries of Union Gas Limited's existing service area, as outlined in the map 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-2017-0111

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 Eby

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-2017-0111

DATED: July 19, 2018

Map of Union Gas Limited's Authorized Service Area in the Township of Eby

Description:
Service area boundary begins approximately at Highway 623 and goes North for 2400m by 300m then runs East - West for 12503m by 300m



GPS Coordinates:
48.846055, -91.249353

Length of Main: 12503m
Service boundary area: 12503 x 300m

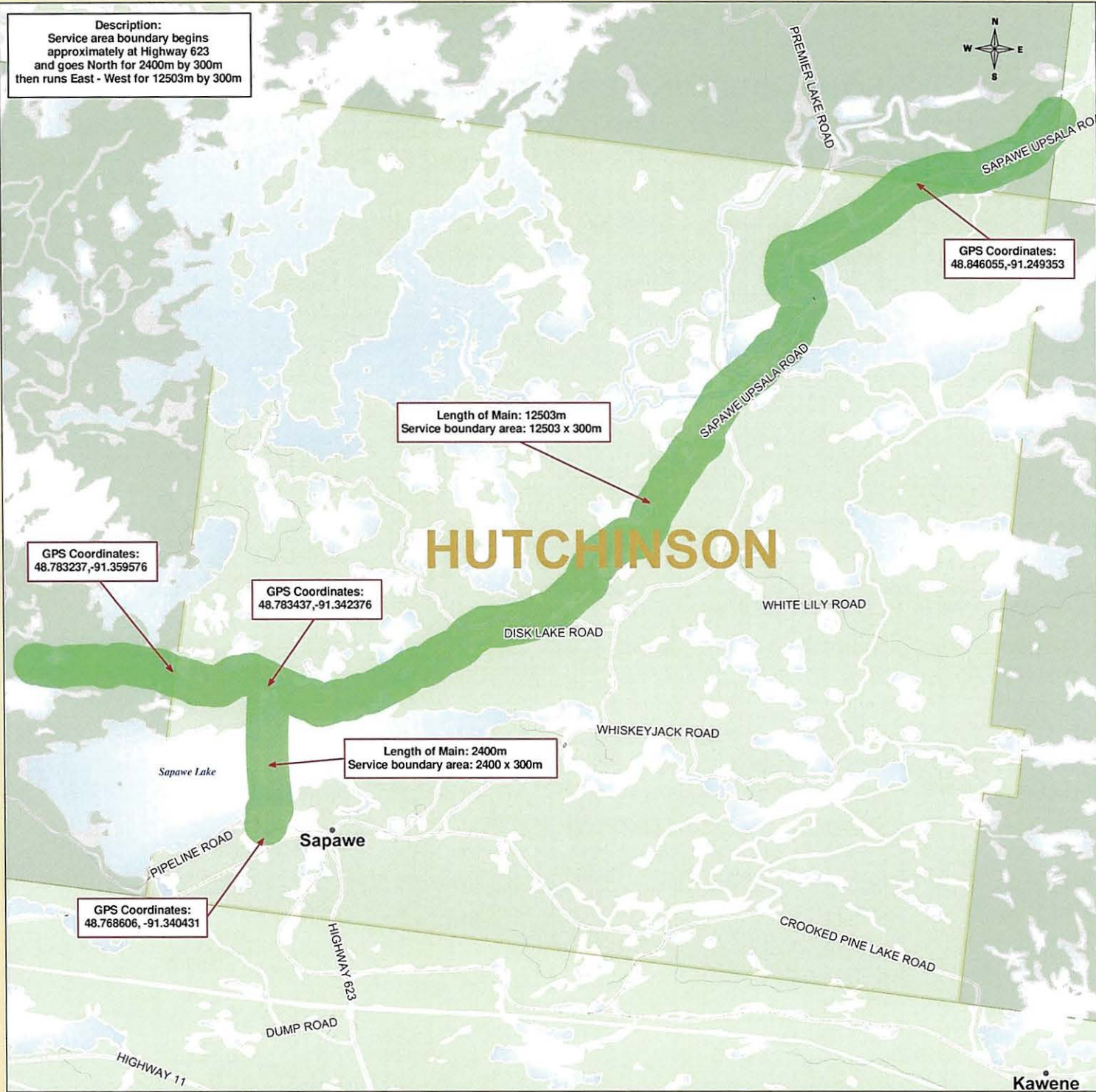
GPS Coordinates:
48.783237, -91.359576

GPS Coordinates:
48.783437, -91.342376

Length of Main: 2400m
Service boundary area: 2400 x 300m

GPS Coordinates:
48.768606, -91.340431

HUTCHINSON



Kawene

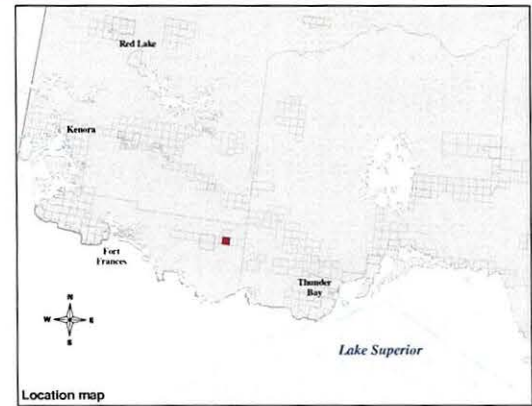
HUTCHINSON TOWNSHIP (SAPAWÉ)

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



Location map

THIS IS EXHIBIT "C" TO THE AFFIDAVIT
OF Gary Collins
SWORN BEFORE ME THIS 24 DAY OF
July 20 18
Continued from p. 1
A COMMISSIONER, ETC.

Rick Gordon, District Planner – Acting
Ministry of Natural Resources and Forestry, Kirkland Lake District Office
10 Government Road East, PO Box 910
Kirkland Lake, ON P2N 3K4

HXX018800004 

Wendy Kaufman, Manager
Ministry of Municipal Affairs, Northern Municipal Services Office
159 Cedar Street, Suite 401
Sudbury, ON P3E 6A5

HXXASZ30000G 