

Union Gas Limited

**Application for certificates of public convenience and
necessity for Norfolk County, the County of Elgin,
and the County of Middlesex**

**PROCEDURAL ORDER NO. 7
October 26, 2018**

Union Gas Limited (Union Gas) applied to the Ontario Energy Board (OEB) on February 24, 2017, under section 8 of the *Municipal Franchises Act*, for an order amending Union Gas' authorizations to construct gas works and supply gas in Norfolk County, the County of Elgin and the County of Middlesex (the Counties). EPCOR Natural Gas Limited Partnership (EPCOR) and OM Limited Partnership (OMLP) are intervenors in the proceeding.

Through procedural orders, the OEB provided for an interrogatory process and a settlement conference that extended to the end of January 2018. On January 30, 2018, Union Gas filed a letter indicating that there was no settlement proposal arising from settlement discussions. The OEB then allowed Union Gas to file updates to its application on February 16, 2018, and provided for another round of interrogatories and submissions. OEB staff's submission presented two options for the OEB to consider, on which the OEB further allowed submissions from parties.

On October 11, 2018, the OEB issued a Decision and Order which granted a new certificate to each of Union Gas and EPCOR for Norfolk County, limited to the areas covered by their previous certificates in Norfolk County, but excluding the areas where their previous certificates overlapped. Union Gas was also granted certain areas in Norfolk County that are currently not covered by a certificate, but where Union Gas currently has infrastructure, in order to bring Union Gas into compliance. The Decision

and Order also cancelled each of Union Gas' and EPCOR's upper-tier certificates for the County of Elgin and the County of Middlesex. Where only one distributor currently serves an entire lower-tier municipality, that distributor was granted (or was allowed to retain) the lower-tier certificate. For areas where both distributors have gas infrastructure present, each distributor was granted a lower-tier certificate limited to the areas where each distributor currently serves.

The OEB ordered both utilities to file draft orders for certificates for Norfolk County, as well as for each of the lower-tier municipalities in the County of Elgin and the County of Middlesex where both utilities had infrastructure. The draft orders were to include the metes and bounds information of each utility's infrastructure, described in lots and concessions, and customer density maps with boundaries delineating these areas.

On October 22, 2018, Union Gas filed an update on its progress regarding the maps and service area descriptions. Union Gas stated that the OEB's orders require Union Gas to generate two maps for each municipality. The first map would show the location of Union Gas' facilities in a form to allow for the development of metes and bounds descriptions, and the second map would show the customer density for the facilities/customers within the municipality. Union Gas stated that the creation of these maps would require Union Gas to review the existing certificates for each municipality to verify its boundaries. The maps and metes and bounds descriptions would then have to be generated, and then verified by field staff.

Given the amount of time it would take to generate and verify this information, Union Gas requested that the deadline to file this information be extended to December 7, 2018. Union Gas also suggested that the date for filing written submissions and reply submissions on the draft orders be extended to December 21, 2018 and January 11, 2019, respectively.

On October 22, 2018, EPCOR filed a letter in support of Union Gas' request, and sought a further extension to file its draft orders and maps to January 15, 2019. EPCOR stated that it was beginning to transition its mapping and billing software, but that it was currently unable to quickly generate customer density maps. EPCOR also requested that the dates for filing written submissions and reply submissions on the draft orders be extended to February 15, 2019 and March 1, 2019, respectively.

The OEB will accept EPCOR's request to extend the deadline for filing the draft orders and the related maps to January 15, 2019. The dates for filing submissions and reply submissions will be extended to January 29, 2019 and February 12, 2019, respectively.

The OEB considers it necessary to make provision for the following matters related to this proceeding. These procedural steps and dates supersede those included in the Decision and Order. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. Union Gas Limited shall file with the OEB and serve EPCOR Natural Gas Limited Partnership draft orders for certificates for each of the lower-tier municipalities in the County of Elgin and the County of Middlesex that both Union Gas Limited and EPCOR Natural Gas Limited Partnership have infrastructure in, complete with the metes and bounds information in lots and concessions, and the customer density maps with boundaries delineating these areas by **January 15, 2019**. Union Gas is to include Lot 24 in Concession 11 of the Township of Malahide in the draft order for its certificate for the Township of Malahide.
2. EPCOR Natural Gas Limited Partnership is to file with the OEB and serve Union Gas Limited draft orders for certificates for each of the lower-tier municipalities in the County of Elgin and the County of Middlesex that both EPCOR Natural Gas Limited Partnership and Union Gas Limited have infrastructure in, complete with the metes and bounds information in lots and concessions, and the customer density maps with boundaries delineating these areas by **January 15, 2019**.
3. Union Gas Limited shall file with the OEB and serve EPCOR Natural Gas Limited Partnership a draft order for a certificate for Norfolk County, based on the areas Union Gas Limited currently has authorization for, excluding the area of overlap, as well as customer density maps with boundaries delineating each area of authorization by **January 15, 2019**. Union Gas Limited is to include in the draft order for its certificate for Norfolk County the north half of Lots 3, and 5 in Concession 7, and all of Lots 4 and 5 in Concession 8.

4. EPCOR Natural Gas Limited Partnership is to file with the OEB and serve Union Gas Limited a draft order for a certificate for Norfolk County, based on the areas EPCOR Natural Gas Limited Partnership currently has authorization for, excluding the area of overlap, as well as customer density maps with boundaries delineating each area of authorization by **January 15, 2019**. EPCOR Natural Gas Limited Partnership is to exclude in the draft order for its certificate for Norfolk County the north half of Lots 3, and 5 in Concession 7, and all of Lots 4 and 5 in Concession 8.
5. Parties who wish to make written submission on the draft orders filed by each of Union Gas Limited and EPCOR Natural Gas Limited Partnership shall file such submission with the OEB, and deliver them to the other parties by **January 29, 2019**.
6. If Union Gas Limited or EPCOR Natural Gas Limited Partnership wishes to reply to the submission of other parties, the reply shall be filed with the OEB and delivered to the other parties by **February 12, 2019**.

All filings with the OEB must quote the file number **EB-2017-0108**, and be made through the OEB's web portal at <https://www.pes.oeb.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must be received by the OEB by 4:45 p.m. on the stated date. Parties should use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.ca. If the web portal is not available, parties may e-mail their documents to the attention of the Board Secretary at BoardSec@oeb.ca.

ADDRESS

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DATED at Toronto, **October 26, 2018**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary