



EB-2008-0264

NOTICE OF APPLICATION

GAS STORAGE AND DISTRIBUTION CONTRACT BETWEEN UNION GAS LIMITED AND EAST WINDSOR COGENERATION LP

The Application

Union Gas Limited ("Union") has filed an application (the "Application"), dated July 16, 2008, with the Ontario Energy Board under section 39(2) of the *Ontario Energy Board Act, 1998* for an order of the Board approving the parties to, the period of, and the cost-based storage that is the subject of a T1 Gas Storage and Distribution Contract (the "T1 Contract") with East Windsor Cogeneration LP ("East Windsor").

The T1 Contract is for firm storage space of 122,490 GJ and deliverability of 1,200 GJ/day to East Windsor at cost-based rates. The T1 Contract has a twenty-year term effective July 1, 2008 to June 30, 2028.

Union has requested that the Application be disposed of without a hearing on the grounds that no person will be adversely affected in a material way by the outcome of this proceeding. The Board has not yet determined whether to hold a hearing in relation to the merits of the Application.

The Board has assigned file number EB-2008-0264 to the Application.

How to See the Application and Union's Request for Confidential Treatment

Copies of the Application are available for public inspection at the Board's offices in Toronto and on its website, and at Union's offices (address below) and on its website.

Union has requested that the Board hold in confidence certain customer-specific information in the T1 Contract that Union considers to be commercially sensitive. Union has filed a redacted non-confidential version of the T1 Contract from which the commercially sensitive information has been removed, and it is this version that is currently on the public record. Additional information regarding the Board's policy and practice concerning confidential filings may be found in the Board's *Rules of Practice and Procedure* and in its *Practice Direction on Confidential Filings*, which are available under "Regulatory Instruments" in the "Rules, Codes, Guidelines and Forms" section of the Board's website at www.oeb.gov.on.ca.

How to Participate

If you believe that you will be adversely affected in a material way by the outcome of this proceeding, you may file a written submission to that effect with the Board requesting that the Board hold a hearing to consider the merits of the Application. The submission should clearly indicate the nature of the material adverse effect that is being asserted. The submission must be filed with the Board and a copy sent to Union no later than **Friday, August 15, 2008**. If you object to Union's request for confidential treatment, your submission to the Board must include the following:

- the reason why you believe that the information that is the subject of the request for confidentiality is not confidential, in whole or in part, by reference to the grounds for confidentiality expressed by Union; and
- the reason why you require disclosure of the information that is the subject of the request for confidentiality and why access to the redacted non-confidential version of the T1 Contract is insufficient to enable you to present your case.

If you require access to the confidential version of the document in order to submit your objection, you may request that the Board allow access for that purpose. Such request shall be made in writing and Union may object to the request.

Responses to the submission(s) may be filed with the Board by Union no later than **Friday, August 22, 2008**. A copy of the response must also be sent to the person that provided the submission(s).

You must file two paper copies and an electronic copy of your submission with the Board. If you already have a user ID, please submit the electronic copy of your submission through the Board's web portal at www.errr.oeb.gov.on.ca. If you do not have a user ID, please visit the "e-Filing Services" page on the Board's website at www.oeb.gov.on.ca and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines also found on the "e-Filing Services" webpage. If the Board's web portal is not available, the electronic copy of your submission may be sent by e-mail. Those who do not have internet access are required to submit the electronic copy of their submission on a CD or diskette in PDF format.

How to Contact Us

In responding to this Notice please reference Board File Number EB-2008-0264. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than **4:45 p.m.** on the required date.

IMPORTANT

IF YOU DO NOT FILE A SUBMISSION IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THESE PROCEEDINGS.

Addresses

Ontario Energy Board

P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON
M4P 1E4

Attention: Ms. Kirsten Walli
Board Secretary
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656
E-mail: boardsec@oeb.gov.on.ca

The Applicant

Union Gas Limited
P.O. Box 2001
50 Keil Drive North
Chatham, Ontario, N7M 5M1

Attention: Mr. Chris Ripley
Manager, Regulatory Applications
Tel: 519-436-5476
Fax: 519-436-4641

- and -

Mr. Dan Jones
Assistant General Counsel
Tel: 519-436-4601
Fax: 519-436-5218

ISSUED at Toronto, August 5, 2008
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary