



ORLANDO CORPORATION

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E-FILED

September 23, 2008

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

Attention: Kirsten Walli
Board Secretary

Dear Sirs/Mesdames:

**Re: Triple Whisky Farms Limited (the "Owner") of
Property No. 2 under Ontario Energy Board File
No.: EB-2008-0288 being Part of Lot 12, Concession 5,
Geographic Township of Trafalgar, NS, Milton
fronting along Fifth Line and being PIN 25075-0033 (LT)
(the "Property")**

We acknowledge receipt of the Application by Union Gas Limited ("Union") for Authority to Expropriate Interests in Certain Lands issued by the Ontario Energy Board dated September 9, 2008 which we received on September 17, 2008.

The Owner is an affiliate of Orlando Corporation and requests intervenor status with respect to this matter and requests an oral hearing.

Pursuant to the Decision & Order (the "Order") of the Ontario Energy Board (the "Board") dated June 16, 2008 (File No. EB-2008-0024), the Board stated in Section 3.5 of the Order that "the Board is satisfied that Union's easement acquisition process will effectively address the landowner issues associated with the Project." The Owner acknowledges receipt of Union's form of Option for Temporary Land Use Agreement (the "Agreement") and confirms that upon receipt of same, the Owner contacted Merv Weishar, Senior Lands Agent in Union's Lands Department to address concerns the Owner has regarding the location of the pipeline within the road allowance running parallel to Fifth Line and how it could affect the Owner's future development of the Property and more particularly, future site servicing requirements.

In an attempt to satisfy the Owner's concerns, Union provided copies of informal drawings relating to the location and elevation of the pipeline. The Owner advised Union that it would be



unable to enter into the Agreement unless it receives: (i) formal construction drawings to fully describe the location, grades and elevation of the pipeline; and (ii) assurances in writing from Union that in the event the pipeline interferes with the future site servicing requirements for the Property imposed by the Town of Milton (the "Town") or the Regional Municipality of Halton (the "Region"), the pipeline would be moved by Union at its expense to facilitate the necessary servicing.

Further, as Union has not prepared and/or submitted formal construction drawings and the formal design proposal has not been presented to the Town or the Region, the Owner is unable to obtain any assurances from the Town or the Region that the pipeline will not interfere with the future site servicing of the Property. If the pipeline does interfere with the Owner's ability to access any servicing in the public road, this will interfere with the development of the Owner's lands comprising approximately 142.82 acres which would not be in the public's interest. This will result in lost job opportunities and lost economic benefit to the surrounding lands and municipality.


The Owner has cooperated and attempted to negotiate the Agreement with Union and Union's easement acquisition process has not effectively addressed the Owner's issues associated with the location of the pipeline as stipulated and required in the Board's Order.

The Owner reserves its right to seek costs.

We await your advice regarding the date of the hearing.

Yours truly,

ORLANDO CORPORATION



Louis Pilla
Legal Counsel

Encls.

copy to: Applicant
 Union Gas Limited
 50 Keil Drive North
 Chatham, Ontario N7M 5M1

Att: Mr. Mark Murray, Manager, Regulatory Projects

via email to: mmurray@uniongas.com



and to:

Counsel for the Applicant
Blake, Cassels & Graydon LLP
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Toronto, Ontario M5L 1A9

Att: Gerald S. Swinkin

via email to: Gerald.swinkin@blakes.com