



EB-2008-0307

**NOTICE OF APPLICATION AND
NOTICE OF WRITTEN HEARING**

**GAS FRANCHISE AGREEMENT
FOR THE COUNTY OF LAMBTON**

Union Gas Limited (the “Applicant”) has filed an application dated September 18, 2008 with the Ontario Energy Board (the “Board”) under section 9 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the “Act”), for an order of the Board approving the terms and conditions upon which and the period for which the Corporation of the County of Lambton (the “Corporation”) is, by by-law, to grant to the Applicant the right to construct and operate works for the distribution of gas and the right to extend and add to the works in the County of Lambton (the “Municipality”). The Applicant has also applied for an order of the Board declaring and directing that the assent of the municipal electors to the by-law is not necessary.

The Board has assigned file number EB-2008-0307 to this matter.

The Applicant has a Franchise Agreement with the Municipality which expires on November 30, 2008. The Applicant also has a Certificate of Public Convenience and Necessity (F.B.C. 192) with the Municipality.

The application will be decided by the Manager, Facilities Applications, who has been delegated this authority pursuant to section 6 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15 (Schedule B). The Manager, Facilities Applications does not intend to provide for an award of costs when deciding this application.

Copies of the application and pre-filed evidence will be available for public inspection at the Board's offices, the Applicant's offices, and at the office of the Corporation at the addresses indicated below.

The Board intends to proceed with the application by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board within **7 days** of the publication date of this Notice.

If you wish to participate in the written hearing, you must forward three copies of your written submissions to the Board Secretary and one copy to the applicant at the addresses below. All submissions must be received no later than **14 days** after the publication date of this Notice. If the Applicant wishes to respond to the written submissions, such response must be received by the Board no later than **21 days** after the publication date of this Notice. All submissions must quote file no. EB-2008-0307, clearly state the sender's name and address, and be received by the Board Secretary by 4:45 p.m. on the required dates.

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING WRITTEN SUBMISSIONS IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

ADDRESSES
(for viewing of copies of application)

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

Attn: Ms. Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

Union Gas Limited
(Head Office)
50 Keil Drive North
Chatham ON N7M 5M1

Attn: Mr. Patrick McMahon
Manager, Regulatory
Research and Records

Tel: 519-436-5325
Fax: 519-436-4641

Corporation of the County of Lambton
789 Broadway Street
Wyoming, Ontario, N0N 1T0

Attn. Mr. James J. Kutyba
General Manager

Tel: 519-845-0801
Fax: 519-845-3872

Union Gas Limited
(District Office)
109 Commissioners Road
London, Ontario N6A 4P1

Attn. Mr. Shawn Khoshaien
District Manager

Tel: 519-667-4109
Fax: 519-667-4299

DATED at Toronto, October 21, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary