



**EB-2008-0362**  
**EB-2008-0363**

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

**GAS FRANCHISE AGREEMENT AND CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY FOR  
CORPORATION OF THE TOWN OF ESPANOLA**

Union Gas Limited (the “Applicant” or “Union”) has filed an application dated November 4, 2008 with the Ontario Energy Board (the “Board”) under the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, s.9 for an order of the Board approving the terms and conditions upon which, and the period for which, the Corporation of the Town of Espanola is, by by-law to grant to the Applicant the right to construct and operate works for the distribution, transmission and storage of natural gas and the right to extend or add to the works in the Town of Espanola. The Applicant has also applied for an order of the Board declaring and directing that the assent of the electors of the Municipality to the by-law is not necessary. Union has also applied for an order cancelling the existing Certificate of Public Convenience and Necessity for the Town of Espanola and replacing it with an expanded Certificate of Public Convenience and Necessity to include the former Unincorporated Township of Merritt. The Board has assigned file numbers EB-2008-0362 to the Franchise application and EB-2008-0363 to the Certificate application.

The Applicant is presently serving the Corporation under the authority of a Certificate of Public Convenience and Necessity (E.B.C. 106) granting Union the right to construct works to supply natural gas within the Town of Espanola and has a franchise agreement (E.B.A. 343), which expires November 6, 2009. Union does not have a Certificate of

Public Convenience and Necessity for the Unorganized Township of Merritt which is now part of the Town of Espanola.

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 are available for inspection at the Board's office, the Applicant's head office, the Applicant's regional office and the office of the Corporation of Town of Espanola, 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 Assistant Secretary of the Board 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-2008-0362 or EB-2008-0363, 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**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 26th Floor  
Toronto, Ontario  
M4P 1E4

Attn: Ms. Kirsten Walli  
Board Secretary

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

The Corporation of  
the Town of Espanola  
100 Tudhope Street, Suite 2  
Espanola, Ontario  
P5E 1S6

Attn: Mr. Joel MacKenzie  
Clerk Treasurer/Administrator

Tel: 705-869-1540  
Fax: 705-869-0083

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

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

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

Union Gas Limited  
36 Charles St. E.  
North Bay, Ontario  
P1B 8K7

Attn: Mr. Doug French  
District Manager, Northeast

Tel: 705-475-7914  
Fax: 705-475-7922

**DATED** at Toronto November 12, 2008  
**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary