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Lesley Austin
Regulatory Coordinator
Regulatory Proceedings
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VIA COURIER AND RESS

January 14, 2010

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. ("Enbridge") Application for Franchise
Renewal with the Corporation of the Town of Richmond Hill ("Town")
Ontario Energy Board ("OEB") File Number: EB-2009-0310**

On August 11, 2009 the Board acknowledged Enbridge's application for a franchise renewal with the Town. In the original application Enbridge submitted to the Board, a placeholder was used for the Town's resolution (Schedule D). Attached please find the Resolution as passed by the Town on December 7, 2009, as well as the Town's draft By-law.

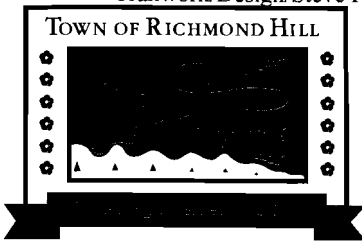
Sincerely,

A handwritten signature in black ink that reads 'Lesley Austin'.

Lesley Austin
Regulatory Coordinator

Attachment

cc: Tania Persad – EGD, Senior Legal Counsel, Regulatory
Ashraf Abdel-Qader – Operations Manager, Central Region East



P.O. Box 300
225 East Beaver Creek Road
Richmond Hill, Ontario
Canada L4C 4Y5
905-771-8800
www.richmondhill.ca

January 8, 2010

Enbridge Gas
93 Edward Street
Richmond Hill, Ontario
L4C 5E5

RECEIVED

JAN 13 2010

DIRECTOR, REGULATORY AFFAIRS

Attention: Ms. Lesley Austin

Re: Renewal of Franchise Agreement

Attached for your pursual are the following:

1. Council Extract approving a draft by-law and Franchise Agreement;
2. Copy of the draft by-law; and,
3. Copy of the draft Franchise Agreement.

I believe these are the items which you require in order to file an application with the OEB.

Regards,

Stephen C. Fick, C.E.T.,
Director of Design, Construction & Water Resource

SCF/blt

Attachments

c: Antonio Dimilta, Legal Department



**EXTRACT FROM COUNCIL MEETING
C#44-09 HELD DECEMBER 14, 2009
CONFIRMATORY BY-LAW NO. 153-09**

4.0 Minutes – Committee of the Whole meeting CW#19-09 of December 7, 2009

4.6 Renewal of Franchise Agreement with Enbridge Gas Distribution – (SREPW.09.106) – (Item No. 23)

- Rec. 6
- a) That Council approve the form of draft By-Law, including the franchise agreement forming part thereof, attached as Appendix 'B' to SREPW.09.106, and authorize the submission thereof, and any other documents required, to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the *Municipal Franchises Act*;
 - b) That Council request the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft By-Law, including the franchise agreement forming part thereof, pursuant to the provisions of Section 9(4) of the *Municipal Franchises Act*.

**THE CORPORATION OF THE TOWN OF RICHMOND HILL
("Corporation")**

BY-LAW NO. 7-10

DRAFT

A By-law to Authorize a Franchise Agreement Between the Corporation of the Town of Richmond Hill and Enbridge Gas Distribution Inc.

WHEREAS the Council of the Corporation deems it expedient to enter into the attached franchise agreement with Enbridge Gas Distribution Inc.;

AND WHEREAS the Ontario Energy Board by its Order issued pursuant to *The Municipal Franchises Act* on the (date) day of (month), 2010 has approved the terms and conditions upon which and the period for which the franchise provided for in the attached agreement is proposed to be granted, and has declared and directed that the assent of the municipal electors in respect of this By-law is not necessary;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That the attached franchise agreement between the Corporation Enbridge Gas Distribution Inc. is hereby authorized and the franchise provided for therein is hereby granted.
2. That the Mayor and Clerk are hereby authorized and instructed on behalf of the Corporation to enter into and execute under its corporate seal and deliver the aforesaid agreement, which agreement is hereby incorporated into and shall form part of this By-law.

READ A FIRST AND SECOND TIME THIS (date) DAY OF (month), 2010.

READ A THIRD TIME AND PASSED THIS (date) DAY OF (month), 2010.

Mayor

Town Clerk

/kh