



EB-2017-0159

Enbridge Gas Distribution Inc.

**Application for franchise agreement with the
Town of Collingwood**

**PROCEDURAL ORDER NO. 1 AND
INTERIM ORDER**

June 7, 2017

Enbridge Gas Distribution Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) on April 4, 2017 under section 9 of the *Municipal Franchises Act, 1990* for an order approving Enbridge Gas' proposed franchise agreement with the Town of Collingwood.

Enbridge Gas has a Franchise Agreement with the Town of Collingwood¹ that is set to expire on June 23, 2017. Enbridge Gas holds a Certificate of Public Convenience and Necessity (certificate)² to operate works and add to the works for the distribution of gas in the geographical area comprising the Town of Collingwood.

On April 21, 2017, Enbridge Gas filed a revised application at OEB staff's request, which included a map identifying all of the existing Enbridge Gas gas mains in the Town of Collingwood. On April 27, 2017, Enbridge Gas filed a second revised application with two versions of the map; one version marking the location of the gas mains, and another version without the gas mains. On May 23, 2017, Enbridge Gas filed a request for confidential treatment of the map identifying Enbridge Gas' gas mains in the Town of Collingwood. The OEB has

¹ By-law 97-30, dated June 23, 1997

² F.B.C. 96, dated April 17, 1957

set out a process for submissions on Enbridge Gas' request for confidentiality below.

The OEB issued a Notice of Application on April 26, 2017. The last date for intervention was May 15, 2017. No parties applied for intervenor status. Intervenor status will, however, be deemed for each of Union Gas Limited, Natural Resource Gas Limited and EPCOR Southern Bruce Gas Inc. to the extent they wish to participate in the current proceeding with respect, in particular, to Enbridge Gas' request for confidentiality of the maps filed in the current application or any other alternatives to identify specific areas currently being served within a given service territory.

On June 6, 2017, Enbridge Gas applied for an interim order extending Enbridge Gas' franchise rights in the Town of Collingwood, given the possibility that the Franchise Agreement could expire before the OEB's review of the application is complete. Given that the Franchise Agreement between Enbridge Gas and the Town of Collingwood is set to expire on June 23, 2017 and given that the OEB may not be render its decision prior to the expiry date, it is in the public interest for the OEB to grant an interim order extending Enbridge Gas' franchise rights in the Town of Collingwood. Therefore, pursuant to section 10(4) of the *Municipal Franchises Act*, the OEB orders that Enbridge Gas' franchise rights within the Town of Collingwood be continued until such time that the OEB makes a final determination on the franchise renewal application. This determination is made without prejudice to the OEB's ultimate decision on Enbridge Gas' application, and should not be construed as predictive, in any way whatsoever, of the OEB's final determination in this application.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. The municipal gas Franchise Agreement between Enbridge Gas and the Town of Collingwood dated June 23, 1997 is continued until such time that the OEB makes a final determination on Enbridge Gas' application for renewal of its Franchise Agreement. This determination is made without

prejudice to the OEB's ultimate decision on Enbridge Gas' application, and should not be construed as predictive, in any way whatsoever, of the OEB's final determination in this application.

2. Unless the OEB orders otherwise, any written submission by OEB staff and intervenors with respect to Enbridge Gas' request for confidentiality of the maps filed in the current application or any other alternatives to identify specific areas currently being served within a given service territory shall be filed with the OEB and delivered to all other parties by **June 15, 2017**.
3. Unless the OEB orders otherwise, Enbridge Gas may file a written reply submission with the OEB, and deliver it to intervenors by **June 22, 2017**.

All filings to the Board must quote the file number, **EB-2017-0159** and be made electronically in searchable/unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available, parties may email their documents to the address below.

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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Azalyn Manzano at Azalyn.Manzano@oeb.ca and Board Counsel, Richard Lanni at Richard.Lanni@oeb.ca.

ADDRESS

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Fax: 416-440-7656

DATED at Toronto, June 7, 2017

ONTARIO ENERGY BOARD

By delegation, before: Pascale Duguay

Original signed by

Pascale Duguay
Manager, Application Policy and Climate Change

Schedule A

Procedural Order No. 1

Enbridge Gas Distribution Inc.

EB-2017-0159

Applicant and List of Intervenors

June 7, 2017

**Enbridge Gas Distribution Inc.
EB-2017-0159**

APPLICANT & LIST OF INTERVENORS

Page 1 of 3

June 7, 2017

APPLICANT

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INTERVENORS

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**Enbridge Gas Distribution Inc.
EB-2017-0159**

APPLICANT & LIST OF INTERVENORS

Page 2 of 3

June 7, 2017

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**Enbridge Gas Distribution Inc.
EB-2017-0159**

APPLICANT & LIST OF INTERVENORS

Page 3 of 3

June 7, 2017

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