



EB-2017-0204

Enbridge Gas Distribution Inc.

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

INTERIM ORDER

June 13, 2017

Enbridge Gas Distribution Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) on May 16, 2017 under section 9 of the *Municipal Franchises Act, 1990* for an order approving the renewal of Enbridge Gas' franchise agreement with the Town of Hawkesbury. Enbridge Gas' franchise agreement with the Town of Hawkesbury (By-law 75-97, dated July 2, 1997) is set to expire on July 2, 2017.¹

Together with the franchise renewal application, Enbridge Gas filed certain materials for which it requested confidential treatment from the OEB. In the light of the fact that the OEB must now consider the request for confidentiality, and that this may delay the OEB's disposition of the franchise renewal application, Enbridge Gas now seeks an interim order of the OEB extending the expiry date Enbridge Gas' franchise agreement with the Town of Hawkesbury until such time as the OEB disposes of the franchise renewal application.

The OEB accepts Enbridge Gas' request for an extension. Pursuant to section 10(4) of the *Municipal Franchises Act, 1990* the OEB orders that Enbridge Gas' franchise rights within the Town of Hawkesbury be continued until such time that

¹ Enbridge Gas also holds a certificate of public convenience and necessity to operate works and add to the works for the distribution of gas in the geographical area comprising the Town of Hawkesbury (F.B.C. 134, dated December 9, 1957).

the OEB makes a final determination on the franchise renewal application. This determination is made without prejudice to the OEB's ultimate decision on the main application, and should not be construed as predictive, in any way whatsoever, of the OEB's final determination therein.

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 Distribution Inc. and the Town of Hawkesbury dated July 2, 1997 is continued until such time that the OEB makes a final determination on Enbridge Gas Distribution Inc.'s 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.

DATED at Toronto, June 13, 2017

ONTARIO ENERGY BOARD

By delegation, before: Pascale Duguay

Original signed by

Pascale Duguay
Manager, Application Policy and Climate Change