



EB-2017-0159

**Enbridge Gas Distribution Inc.**

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

**DECISION ON CONFIDENTIALITY REQUEST AND PROCEDURAL  
ORDER NO. 2**

**July 4, 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* for an order approving Enbridge Gas' proposed franchise agreement with the Town of Collingwood.

The OEB issued a Notice of Application on April 26, 2017. On June 7, 2017, the OEB issued Procedural Order No. 1 and an Interim Order extending Enbridge Gas' franchise rights in the Town of Collingwood given the possibility that the term of the current franchise agreement could expire before the OEB's review of the application was complete.

Following receipt of the application, OEB staff requested additional material from Enbridge Gas; namely, a map of the Town of Collingwood showing the density and location of customers served, together with clearer road boundaries. The purpose of the additional information was to enable the OEB to more properly define the utility's service area boundaries within the Town of Collingwood.

On May 23, 2017, Enbridge Gas filed a Schedule "A-1 Confidential" which consisted of a map identifying all of Enbridge Gas' existing gas mains in the municipality (Gas Mains Map). Enbridge Gas requested confidential treatment for

the map, pursuant to the OEB's *Practice Direction on Confidential Filings*. The grounds for its confidential treatment included that the information contained therein is proprietary and subject to periodic change; and that it contains highly sensitive information from public safety, system security and customer personal information perspectives.

Union Gas Limited (Union Gas), Natural Resource Gas Limited (NRG) and EPCOR Southern Bruce Gas Inc. (EPCOR) were deemed as intervenors. The OEB provided an opportunity for intervenors and OEB staff to make written submissions with respect to Enbridge Gas' request for confidentiality of certain information that it filed in the proceeding. The OEB received submissions from OEB staff and Union Gas. Enbridge Gas filed a reply submission on June 22, 2017.

### **Confidentiality Request**

While OEB staff expressed appreciation over Enbridge Gas' concerns, OEB staff was concerned that granting confidential treatment to the Gas Mains Map in this proceeding may impact other types of applications, such as future leave to construct filings. OEB staff submitted that rather than making a decision on Enbridge Gas' request for confidential treatment to the Gas Mains Map, Enbridge Gas should be afforded an opportunity to retract the map from the proceeding and, in its place, file a revised map that meets the OEB's informational needs for this current proceeding, alleviates the applicant's confidentiality concerns, and that can ultimately be placed on the public record. OEB staff suggested that one alternative might be to shade service areas, varying the colour of the shading to indicate customer density, and to provide the number of customers in each of the areas.

Union Gas agreed with Enbridge Gas' statement that documents identifying specific locations of gas distribution and transmission facilities should be treated as confidential.

Enbridge Gas filed a reply submission on June 22, 2017 reiterating that, in the event that the OEB wishes to use the Gas Main Map for any purpose, the Gas Mains Map ought to be afforded confidential treatment by the OEB for the reasons expressed by Enbridge Gas in its request for confidential treatment, and supported by Union Gas. However, Enbridge Gas also stated that, in the event that the OEB requires it, Enbridge Gas would be agreeable to filing a version of the Collingwood franchise map that shows areas with gas service and colored indicators of relative population density (Density

Map). If the OEB requires this Density Map, then Enbridge Gas would retract the Gas Mains Map from its filing.

## Findings

The OEB requires a clear understanding of where customers are being served by rate-regulated natural gas distributors within the Province. I find that the Gas Mains Map provides information beyond the intent of the information requested from Enbridge Gas. I agree that the map suggested by OEB staff and supported by Enbridge Gas (i.e. the Density Map) adequately serves the purpose of the information being sought by the OEB that is to accurately delineate a distributor's service boundaries, as well as the general location and density of customers served. I also agree with the reservations expressed by Enbridge Gas and expect the utility to submit the Density Map with the noted caveats. Upon the filing of this map, Schedule "A-1 Confidential" will be removed from the record of this proceeding.

I expect Enbridge Gas, as well as other rate-regulated gas distributors in the Province, to be guided by this decision regarding current and future applications for the approval of franchise agreements and for certificates of public convenience and necessity.

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. Upon Enbridge Gas Distribution Inc.'s filing of a map that accurately delineates the distributor's service area boundaries in the Town of Collingwood, as well as the general location and density of customers served, Schedule A-1 Confidential shall be withdrawn from the record of this proceeding. The filing shall be made to the OEB on or before **July 11, 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](mailto:Azalyn.Manzano@oeb.ca) and Board Counsel, Richard Lanni at [Richard.Lanni@oeb.ca](mailto:Richard.Lanni@oeb.ca).

### **ADDRESS**

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**DATED** at Toronto, July 4, 2017

### **ONTARIO ENERGY BOARD**

**By delegation, before: Pascale Duguay**

*Original signed by*

Pascale Duguay  
Manager, Application Policy and Climate Change