

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** *the Municipal Franchises Act, R.S.O.*

1990, c.M.55, as amended;

**AND IN THE MATTER OF** an Application by OM Limited Partnership for an Order approving the terms and conditions upon which, and the period for which, the Corporation of the County of Norfolk has, by by-law, granted to OMLP the right to construct and operate works for the distribution, transmission and storage of natural gas and the right to extend and add to the works in the County of Norfolk.

**SUBMISSION OF OM LIMITED PARTNERSHIP**

This is the reply of OM Limited Partnership (OMLP).

- A. Reply to Submission of Enbridge Gas Inc. ("Enbridge")
1. On October 29<sup>th</sup>, 2018 a letter dated October 26<sup>th</sup>, 2018, and a model franchise agreement between OMLP and Norfolk County (the "MFA") was sent to the Norfolk County Clerk asking for a first and second reading of the MFA. On or around February 16<sup>th</sup> OMLP received the executed MFA dated February 5<sup>th</sup>, 2019, along with By-Law 2018-103 authorizing the Mayor and Clerk to execute the MFA on behalf of the Corporation. Prior to OMLP filing its application for an Order approving the terms and conditions and period for the MFA, OMLP contacted Board Staff to seek advice as to how to address the executed MFA and By-Law from Norfolk County in OMLP's application to the Ontario Energy Board. Board Staff's suggestion was to file the application as is.
- B. Reply to Ontario Energy Board ("OEB") staff submission
2. OMLP agrees with Board staff submission that the municipal franchises agreement for OMLP with Norfolk County should be granted.
  3. OMLP agrees with Board staff submission which takes the view that clause 4(a) would apply as OMLP has not previously provided gas distribution services in Norfolk County.
  4. OMLP agrees with Board staff's submission which notes that the effective date of the franchise agreement between OMLP and Norfolk County would simply be the date of any Decision and Order issued by the OEB approving the municipal franchise agreement, as according to the *Municipal Franchises Act*.

- 5. OMLP agrees with Board staff's submission that as per the OEB's typical practice, the OEB should dispense with the assent of the municipal electors.

OMLP appreciates the opportunity to participate in this process and looks forward to receiving the Board's order.

ALL OF WHICH IS RESPECTFULLY SUBMITTED BY

X   
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Scott Lewis — President

OM Energy GP inc.