



Enbridge Gas Inc.

**Application for certificates of public convenience and
necessity for Norfolk County, the County of Elgin,
and the County of Middlesex**

**PROCEDURAL ORDER NO. 9
June 17, 2019**

Each of Enbridge Gas Inc. (Enbridge Gas) and EPCOR Natural Gas Limited Partnership (ENGLP) hold various certificates of public convenience and necessity under the *Municipal Franchises Act* authorizing them to operate in Norfolk County, the County of Elgin and the County of Middlesex (the Counties).

In certain areas within the Counties, the certificate authorizations of the two utilities overlap. As this is not a desirable situation, it is the Ontario Energy Board's (OEB) intent in this proceeding to amend each of the utility's certificate authorizations within the Counties such that the service territories of the two utilities will be exclusive of each other.

On October 11, 2018, the OEB issued a Decision and Order which directed both utilities to file draft orders for certificates for Norfolk County, as well as for each of the lower-tier municipalities in the County of Elgin and the County of Middlesex where both utilities have infrastructure. The draft orders were to include the metes and bounds information of each utility's infrastructure, described in lots and concessions, and customer density maps with boundaries delineating these areas. Enbridge Gas and ENGLP filed their draft orders on March 29, 2019. The utilities and OEB staff then filed their respective written submissions on the draft orders the following month. Each of Enbridge Gas and ENGLP also filed reply submissions.

Although progress has been made towards resolving a number of inconsistencies and overlap issues, the OEB finds that it is unable to satisfactorily amend each of the utility's certificate authorizations within the Counties on the evidence provided by the parties to date. For example, in ENGLP's April 26, 2019 submission, there appears to be mapped areas that have been included as part of its proposed certificate that do not have

infrastructure. The same applies in certain lots for Enbridge Gas. There also appears to be overlaps in the draft certificates proposed by Enbridge Gas and EPCOR which still need to be resolved. Also, ENGLP's maps do not provide sufficient detail for the OEB to be able to confirm the specific locations of ENGLP's customers and infrastructure.

In order to assist the OEB in making a determination as to the metes and bounds of the areas to be granted to both utilities, each of Enbridge Gas and ENGLP shall, for each of the Counties, provide the OEB with infrastructure maps that:

- Identify its mains (in a manner that allows the OEB to determine which side of the road the mains are on), service lines, district stations and gate stations
- Identify any infrastructure built outside of its currently certificated areas that are necessary to bring natural gas supply to the area but may not be serving any customers; for the purposes of obtaining authorization for this infrastructure, each utility shall state the road that the infrastructure is on, as well as the locations from where the infrastructure begins and ends, as can be seen in the Greenfield South Power Corporation certificate¹
- Include a scale, a legend that identifies the different pipelines and stations, and a north arrow

The OEB will retain a third party surveyor to assist in determining the metes and bounds of the authorized areas to be granted to each utility based on the maps filed. The OEB will hold an untranscribed technical conference to be attended by Enbridge Gas, ENGLP, OEB staff, and the surveyor to clarify any questions or issues that OEB staff or the surveyor may have regarding Enbridge Gas and ENGLP's maps.

Following the technical conference, the OEB will issue a procedural order attaching draft certificates for each of Enbridge Gas and ENGLP to review and provide any comments on.

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

¹ EB-2014-0299

IT IS THEREFORE ORDERED THAT:

1. Each of Enbridge Gas and ENGLP shall prepare maps for Norfolk County, and for each of the lower-tier municipalities in the County of Elgin and the County of Middlesex in which both Enbridge Gas and ENGLP have infrastructure. The maps must provide the information requested in this procedural order.
2. All technical conference attendees must sign the OEB's Declaration and Undertaking and file it with the OEB by **July 19, 2019**.
3. Enbridge Gas and ENGLP shall file the infrastructure maps with the OEB in confidence and provide an electronic copy on **July 22, 2019** to all technical conference attendees who have signed the OEB's Declaration and Undertaking.
5. A technical conference will be held on **August 12, 2019** starting at 9:30 a.m. at 2300 Yonge Street, 25th floor, Toronto, Ontario to clarify any questions or issues that OEB staff or the surveyor may have regarding Enbridge Gas and ENGLP's infrastructure maps filed on July 22, 2019.

All filings with the OEB must quote the file number **EB-2017-0108**, and be made through the OEB's web portal at <https://www.pes.oeb.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must be received by the OEB by 4:45 p.m. on the stated date. Parties should use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.ca. If the web portal is not available, parties may e-mail their documents to the attention of the Board Secretary at BoardSec@oeb.ca.

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DATED at Toronto, June 17, 2019

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary