



Enbridge Gas Inc.
50 Keil Drive North
Chatham, Ontario, Canada
N7M 5M1

December 6, 2019

Christine Long
Registrar and Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Long:

**Re: EPCOR Natural Gas Limited Partnership
Application for Amended CPCN for the Township of South-West Oxford
Ontario Energy Board File No. EB-2019-0232**

Pursuant to Procedural Order No. 1 to the above noted proceeding, Enbridge Gas Inc. hereby files its final submissions with respect to the application and evidence of EPCOR Natural Gas Limited Partnership.

Should you have any questions on this submission, please do not hesitate to contact me.

Yours truly,

[Original Signed By]

Patrick McMahon
Specialist, Regulatory Research and Records
patrick.mcmahon@enbridge.com
(519) 436-5325

Encl.

c.c. (email only): Vince Cooney, EPCOR
Patrick Welsh, Osler, Hoskin & Harcourt LLP

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) as amended;

AND IN THE MATTER OF the *Municipal Franchises Act*, R.S.O. 1990, c. M.44, as amended;

AND IN THE MATTER OF an Application by EPCOR Natural Gas Limited Partnership for an Order amending its Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Township of South-West Oxford.

SUBMISSIONS OF ENBRIDGE GAS INC.

1. These are the submissions of Enbridge Gas Inc. (“Enbridge Gas”) regarding the application by EPCOR Natural Gas Limited Partnership (“EPCOR”) for an order approving an amended Certificate of Public Convenience and Necessity (“CPCN”) within the Township of South-west Oxford.
2. Enbridge Gas holds a franchise agreement (EB-2013-0020) and CPCN (EB-2013-0021) allowing it to provide gas services to approximately 1266 customers within the Township of South-West Oxford. Enbridge Gas’ CPCN specifically includes the area in which EPCOR is proposing to serve end-use customers.
3. Section 8 of the *Municipal Franchises Act* provides that a CPCN is required prior to the construction of any works to supply natural gas in a municipality. The facilities proposed by EPCOR to supply gas to 77 consumers within the former Village of Salford will be located on territory that is already part of a CPCN held by Enbridge Gas so this will require OEB approval of a by-pass.
4. One of the key considerations in determining whether a by-pass approval is appropriate is whether there will be harm to existing ratepayers of the “by-passed” utility – i.e., Enbridge Gas. As long as EPCOR’s expanded CPCN rights within the Township of South-West Oxford are limited to the southwest quarter of Lot 13 and the south half of Lot 14 in Concession 1 and the northwest quarter of Lot 13 and the north half of Lot 14 in Concession 2, there should be limited impact on Enbridge Gas’ existing ratepayers.
5. One condition of approval to consider is whether a time limit should be placed on the extended CPCN rights such that EPCOR will need to complete a majority of the proposed 77 service hook-ups within 18 months of the OEB granting the amended CPCN.
6. Enbridge Gas disagrees with OEB Staff’s proposal that the amended CPCN for Enbridge Gas for the Township of South-West Oxford should include the reference “as it is constituted on the date of this Decision and Order”.
7. To add “as it is currently constituted on the date of this Decision and Order” to any CPCN Order requires all regulated gas distributors to more closely monitor municipal activities related to annexations and amalgamations and will increase the number of applications to the OEB to change CPCN coverage as municipal boundaries change. In the interest of regulatory and cost

efficiency, Enbridge Gas recommends that the reference to “as it is currently constituted on the date of this Decision and Order” not be included in the amended CPCN approved for Enbridge Gas for the Township of South-West Oxford.