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 Enbridge Gas Inc. for an Order approving the terms and conditions upon which, and the period for which, the Corporation of the Town of Cobalt is, by by-law, to grant to Enbridge Gas Inc. 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 Town of Cobalt;

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an Order directing and declaring that the assent of the municipal electors of the Town of Cobalt to the by-law is not necessary.

APPLICATION

1. Enbridge Gas Inc. (Enbridge Gas), a regulated public utility, is a corporation incorporated under the laws of the Province of Ontario, with its offices in the City of Toronto and the Municipality of Chatham-Kent.

2. The Corporation of the Town of Cobalt (Municipality) is a municipal corporation incorporated under the laws of the Province of Ontario. Attached hereto and marked as Schedule "A" is a map showing the geographical location of the Municipality and a customer density representation of Enbridge Gas' service area. Enbridge Gas currently serves approximately 500 customers in the Municipality.

3. The Town of Cobalt is a single-tier municipality in the Timiskaming District.

4. Enbridge Gas has a Certificate of Public Convenience and Necessity for the Town of Cobalt (FBC 23) dated April 20, 1956 which is attached as Schedule "B".

5. Enbridge Gas applied to the Council of the Municipality for a franchise agreement permitting Enbridge Gas 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 Town of Cobalt.

6. On February 16, 2021, the Council of the Municipality gave approval to the form of a Franchise Agreement in favour of Enbridge Gas and authorized Enbridge Gas to apply to the Ontario Energy Board for approval of the terms and conditions upon which and the period for which the franchise agreement is proposed to be granted.

7. Attached hereto as Schedule "C" is a copy of the Resolution of the Council of the Municipality approving the form of the draft by-law and franchise agreement, authorizing this submission to the Ontario Energy Board, and requesting an Order declaring and directing that the assent of the municipal electors to the by-law and franchise agreement is not necessary.

8. Attached hereto as Schedule "D" is a copy of the By-law and the proposed franchise agreement. The Town of Cobalt has provided first and second readings of its by-law.

9. Enbridge Gas has franchise agreements with and Certificates of Public Convenience and Necessity for the Township of Coleman and the City of Temiskaming Shores which are immediately adjacent to the Municipality. There is no other natural gas distributor in the area.

10. The proposed franchise agreement is in the form of the 2000 Model Franchise Agreement with no amendments and is for a term of twenty (20) years.

11. The address of the Municipality is as follows:

Town of Cobalt
18 Silver Street
P.O. Box 70
Cobalt, ON P0J 1C0
Attention: John Hodgson, Clerk-Treasurer
Telephone: (705) 679-8877
Email: jhodgson@cobalt.ca

The address for Enbridge Gas' regional operations office is:

Enbridge Gas Inc.
36 Charles Street East, Box 3040
North Bay, ON P1B 8K7
Attention: Luke Skaarup, Director, Northern Region Operations
Telephone: (705) 475-7913
Email: luke.skaarup@enbridge.com

12. The English language newspaper having the highest circulation in the Town of Cobalt is the *Temiskaming Speaker*. This is the newspaper used by the Municipality for its notices.

13. Enbridge Gas now applies to the Ontario Energy Board for:

    (a) an Order under s.9(3) approving the terms and conditions upon which, and the period for which, the Town of Cobalt is, by by-law, to grant Enbridge Gas 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; and

    (b) an Order pursuant to s.9(4) directing and declaring that the assent of the municipal electors of the Town of Cobalt is not necessary for the proposed franchise agreement by-law under the circumstances.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 9th day of March, 2021.

ENBRIDGE GAS INC.

Patrick McMahon

Digitally signed by Patrick McMahon
Date: 2021.03.09 15:35:27 -05'00'

Patrick McMahon
Technical Manager
Regulatory Research and Records

Comments respecting this Application should be directed to:

Mr. Patrick McMahon
Technical Manager, Regulatory Research and Records
Enbridge Gas Inc.
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Chatham, ON N7M 5M1
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