



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

September 28, 2021

Ms. Christine E. Long
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Long:

**Re: Six Nations Natural Gas Limited
Application to Approve Franchise Agreements and Certificates of Public
Convenience and Necessity - County of Brant and County of Norfolk
Ontario Energy Board File Number: EB-2021-0238**

Enbridge Gas Inc. respectfully requests intervenor status in the above-noted proceeding and we would appreciate being copied (electronically) on correspondence and other materials submitted to the regulatory record on this matter.

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

Yours truly,

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

c.c. (email only): Tracy Skye, General Manager, Six Nations Natural Gas Limited
Patrick Welsh, Osler, Hoskin & Harcourt LLP
Isabelle Crew, Osler, Hoskin & Harcourt LLP

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 Six Nations Natural Gas Limited for an Order approving the terms and conditions upon which, and the periods for which, the Corporation of the County of Brant is, by by-law, to grant Six Nations Natural Gas Limited 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 Brant;

AND IN THE MATTER OF an application by Six Nations Natural Gas Limited for an Order directing and declaring that the assent of the municipal electors of the County of Brant to the by-law is not necessary;

AND IN THE MATTER OF an application by Six Nations Natural Gas for an Order issuing a Certificate of Public Convenience and Necessity to construct works and supply gas to certain areas in the County of Brant;

AND IN THE MATTER OF an application by Six Nations Natural Gas Limited for an Order approving the terms and conditions upon which, and the periods for which, the Corporation of Norfolk County is, by by-law, to grant Six Nations Natural Gas Limited 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;

AND IN THE MATTER OF an application by Six Nations Natural Gas Limited for an Order directing and declaring that the assent of the municipal electors of the County of Norfolk to the by-law is not necessary;

AND IN THE MATTER OF an application by Six Nations Natural Gas for an Order issuing a Certificate of Public Convenience and Necessity to construct works and supply gas to certain areas in the County of Norfolk.

**REQUEST FOR INTERVENOR STATUS
OF
ENBRIDGE GAS INC.**

1. Enbridge Gas Inc. (Enbridge Gas) hereby applies for Intervenor Status in this proceeding pursuant to the above-captioned matter.
2. Enbridge Gas is an Ontario Corporation with its Registered Offices at the City of Toronto and the Municipality of Chatham-Kent, in the Province of Ontario. Enbridge Gas is a regulated public utility which combines the operations of selling, distributing, transmitting and storing natural gas within the meaning of the *Ontario Energy Board Act, 1998*.

3. Enbridge Gas holds franchise agreements and certificates of public convenience and necessity (CPCNs) allowing it to provide gas services to approximately 7,500 customers within the single-tier municipality of the County of Brant (RP-2003-0039 / EB-2003-0046 and RP-2003-0039 - EB-2003-0047) and approximately 20,125 customers within the single-tier municipality of the County of Norfolk (EB-2005-0506 and EB-2017-0108-A1). Enbridge Gas' CPCNs specifically include the areas in which Six Nations Natural Gas is proposing to serve end-use customers.
4. It is Enbridge Gas' intention to actively participate in this proceeding with respect to ensuring that our CPCN rights within the County of Brant and the County of Norfolk are protected and they are only impacted to allow service to be provided to the customers specifically identified in the application.
5. In its application, Six Nations Natural Gas is requesting approval of franchise agreements and CPCNs for the County of Brant and the County of Norfolk to allow it to continue serving existing customers as well as to extend its gas distribution system to serve additional customers on Bateman Line within the County of Brant and on Indian Line within the County of Norfolk.
6. While other issues may be identified during the regulatory review of the application, Enbridge Gas notes that Paragraph 2 of the proposed franchise agreement with the County of Norfolk (Appendix F) has alternative wording from that approved by the Ontario Energy Board pursuant to the RP-1999-0048 Report to the Board (i.e., "If the corporation has not previously received gas distribution services" has been added). Also, both of the proposed franchise agreements contain a Paragraph 18 (Other Conditions) which is actually only associated with franchise agreements between legacy Union Gas and municipalities in southern Ontario.
7. Upon review of the costs to extend our existing infrastructure to provide service to these customers, Enbridge Gas believes that, although we would like to connect these customers, it is most likely more economic and practical for Six Nations Natural Gas to attach these specific customers to their system.
8. Beyond the impact that this application could have on our CPCN rights within the County of Brant and the County of Norfolk, Enbridge Gas has a direct interest in all matters of jurisdiction, substance and procedure in the regulation of public utilities, and in any decision of the Ontario Energy Board, which may create a precedent affecting Enbridge Gas' operations and/or rates.
9. Enbridge Gas requests one copy of the evidence and submissions of Six Nations Natural Gas and other participants, and any notices or correspondence. This includes any revisions or amendments which may be made prior to the commencement of or during the hearing of this application. Enbridge Gas' preference is to receive searchable electronic versions of filings in this proceeding.

10. Enbridge Gas reserves the right to adduce evidence, submit interrogatories, cross-examine witnesses, advance argument and participate in the hearing as circumstances may require.

11. Communications relating to this intervention should be directed to:

Patrick McMahon
Technical Manager, Regulatory Research and Records
Enbridge Gas Inc.
50 Keil Drive North
Chatham, Ontario N7M 5M1

Telephone: (519) 436-5325
Email: patrick.mcmahon@enbridge.com

12. Enbridge Gas will not be seeking an award of costs.

DATED at the Municipality of Chatham-Kent, in the Province of Ontario this 28th day of September 2021.

ENBRIDGE GAS INC.

Patrick McMahon
Technical Manager, Regulatory Research and Records