



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION AND ORDER

EB-2021-0270

ENBRIDGE GAS INC.

**Application for the Renewal of a Municipal Franchise Agreement with
the Municipality of Brighton**

By Delegation, before: Pascale Duguay

November 18, 2021

INTRODUCTION AND SUMMARY

This Decision and Order approves Enbridge Gas Inc.'s (Enbridge Gas) application for the renewal of its natural gas franchise agreement with the Municipality of Brighton for a twenty-year term.

THE PROCESS

Enbridge Gas filed an application with the Ontario Energy Board (OEB) on October 6, 2021 under section 9 of the *Municipal Franchises Act*. The application was for an order of the OEB approving the renewal of Enbridge Gas's 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 Municipality of Brighton.

The OEB held a written hearing. A notice of hearing was published in the local newspaper on October 28, 2021. There were no intervenors.

In this Decision and Order, a reference to the Municipality of Brighton is a reference to the municipal corporation or its geographical area, as the context requires.

THE APPLICATION

Enbridge Gas is a corporation incorporated under the laws of the Province of Ontario, with its head office in the City of Toronto.

The Municipality of Brighton is a municipal corporation incorporated under the laws of the Province of Ontario, and is a lower-tier municipality in the County of Northumberland.

Enbridge Gas also holds a certificate of public convenience and necessity for the Municipality of Brighton (EB-2007-0018).

Enbridge Gas applied to the Municipality of Brighton for approval of the renewal of the franchise, based on a proposed municipal franchise agreement in the form of the 2000

Model Franchise Agreement, with no amendments, for a term of twenty years. On September 20, 2021, the Municipality of Brighton gave its approval.

With the application, Enbridge Gas filed the Municipality of Brighton's draft by-law granting the proposed franchise renewal, and a copy of the proposed municipal franchise agreement. Enbridge Gas also filed a copy of the Municipality of Brighton's resolution passed on September 20, 2021.

OEB FINDINGS

I find that it is in the public interest to approve the application. Enbridge Gas filed a complete application and provided notice of the hearing in the manner instructed by the OEB. I note that no party intervened to object to the application. The proposed municipal franchise agreement is in the form of the 2000 Model Franchise Agreement, with no amendments, and is for a term of twenty years.

IT IS ORDERED THAT:

1. The terms and conditions upon which, and the period for which, the Municipality of Brighton 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 municipality, as set out in the municipal franchise agreement attached as Schedule A, are approved. A current map of the Municipality of Brighton is attached as Schedule B.
2. The assent of the municipal electors to the by-law is not necessary.
3. Enbridge Gas Inc. shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at Toronto, November 18, 2021

ONTARIO ENERGY BOARD

Original Signed By

Pascale Duguay
Manager, Natural Gas

SCHEDULE A
MUNICIPAL FRANCHISE AGREEMENT
ENBRIDGE GAS INC.
EB-2021-0270
NOVEMBER 18, 2021

SCHEDULE B
MAP OF THE MUNICIPALITY OF BRIGHTON
ENBRIDGE GAS INC.
EB-2021-0270
NOVEMBER 18, 2021