

ONTARIO ENERGY BOARD

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

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

AND IN THE MATTER OF an Application by EPCOR Natural Gas Limited Partnership for an Order amending its Certificate of Public Convenience and Necessity (“CPCN”) to construct works to supply natural gas in the Municipality of Brockton, the Township of Chatsworth and the Municipality of West Grey.

AFFIDAVIT OF SERVICE

I, **Tim Hesselink**, residing in the Town of Collingwood in the Province of Ontario, Canada, make
OATH AND SAY as follows:

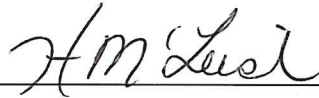
1. I am employed as the Senior Manager, Regulatory Affairs for EPCOR Natural Gas Limited Partnership (“ENGLP”) and as such, I have knowledge of the matters hereinafter deposed to.
2. On October 20, 2021, I filed with the Ontario Energy Board (the “Board”) ENGLP’s application for approval of natural gas franchise agreements and certificates of public convenience and necessity for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth. (the “Application”).
3. In accordance with the February 17, 2022 Letter of Direction issued by the Board, I served a copy of the Decision and Order (“Exhibit A”) on the Clerk of the Municipality of Brockton, the Clerk of the Municipality of West Grey, and the CAO Clerk of the Township of Chatsworth by registered mail (Exhibit “B”).

SWORN BEFORE ME at the Town of)
Collingwood in the Province of Ontario)
this 10th day of **March, 2022.**)

)
A Notary Public in and for Ontario)


Tim Hesselink

THIS IS EXHIBIT 'A' referred to in
the Affidavit of Tim Hesselink sworn
before me this 10th day of March,
2022.

A handwritten signature in cursive script, appearing to read "H. M. Lust", is written above a horizontal line.

A Commissioner, etc.

EXHIBIT A



DECISION AND ORDER

EB-2021-0269

EPCOR NATURAL GAS LIMITED PARTNERSHIP

Application for Approval of Municipal Franchise Agreements with each of the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth and Amendments to the Certificates of Public Convenience and Necessity for each of the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth

BY DELEGATION, BEFORE: Pascale Duguay
Manager
Natural Gas

February 17, 2022

1 OVERVIEW

Through this Decision and Order, the Ontario Energy Board (OEB) approves an application filed by EPCOR Natural Gas Limited Partnership (ENGLP) for: 1) amendments to the certificate of public convenience and necessity (certificate) for each of the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth (the municipalities), and 2) orders approving municipal franchise agreements with the municipalities and directing and declaring that the assent of the municipal electors of the municipalities is not necessary.

New certificates are being issued conditional upon ENGLP receiving a decision and order granting leave to construct for the “Brockton Project” in a future proceeding before the OEB. In June of 2021, the Ontario government announced certain projects that are eligible to receive funding under Phase 2 of its Natural Gas Expansion Program to expand access to natural gas across the province. The Brockton Project was one of the projects selected for funding by the Ontario government.¹

With respect to the franchise agreements, the OEB’s approval is conditional on ENGLP refiling an amended copy of each franchise agreement with the OEB, in accordance with the findings set out below.

The effective dates of each certificate and franchise agreement shall be the respective date upon which ENGLP has satisfied the conditions set out in this Decision and Order.

¹ O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

2 CONTEXT AND PROCESS

ENGLP filed the application on October 20, 2021, under sections 8 and 9 of the *Municipal Franchises Act*. The application was for the following relief:

1. An order of the OEB approving ENGLP's natural gas franchise agreements with the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth.
2. An order of the OEB directing and declaring that the assent of the municipal electors of the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth is not necessary in relation to granting the natural gas franchise agreements.
3. An order of the OEB amending ENGLP's existing certificates for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth.

The OEB issued a Notice of Hearing on November 4, 2021. Enbridge Gas Inc. (Enbridge Gas), JAKO Developments Inc., and the Municipality of Brockton were each granted intervenor status. The OEB proceeded by way of a written hearing.

Enbridge Gas and JAKO Developments Inc. filed interrogatories on December 6, 2021, and ENGLP responded to them on December 13, 2021.

Enbridge Gas and OEB staff filed submissions on January 12, 2022. ENGLP filed a reply submission on January 19, 2022.

3 APPLICATION

ENGLP is a gas distributor, and is a corporation incorporated under the laws of the Province of Ontario, with offices in the Town of Aylmer and the Municipality of Kincardine.

ENGLP currently holds limited certificates for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth.² The certificates are limited in the sense that they authorize ENGLP only to construct pipeline facilities within the municipalities in order to supply gas to the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss.

Enbridge Gas is also a gas distributor that currently holds certificates for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth.³

JAKO Developments Inc. is developing a subdivision located 1,800 metres east of ENGLP's proposed certificate area for the Municipality of West Grey. Through its interrogatories, JAKO Developments Inc. requested that ENGLP expand its current application to include the subdivision.

3.1 Request for Municipal Franchise Agreements

ENGLP applied to the OEB for approval of its franchise agreements with each of the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth.

In their submissions, OEB staff and Enbridge Gas noted that, as filed, the franchise agreements and related by-laws were executed by ENGLP and the municipalities prior to receiving the OEB's approval of their terms and conditions. Section 9 of the *Municipal Franchises Act* provides, in part, that no by-law granting the right to construct or operate works for the distribution of gas shall be submitted to the municipal electors for their assent unless the terms and conditions upon which and the period for which such right is to be granted have first been approved by the OEB.

OEB staff and Enbridge Gas submitted that, notwithstanding their execution, the franchise agreements should not take effect until their terms and conditions have first

² Each of ENGLP's existing certificates were issued under EB-2018-0263

³ EB-2009-0090, EB-2007-0819 and EB-2008-0081 respectively

been approved by the OEB. In its reply submission, ENGLP accepted the position taken by OEB staff and Enbridge Gas on this point.

Enbridge Gas also noted that the terms and conditions of the executed franchise agreements contain a departure from the terms and conditions of the [Model Franchise Agreement](#) (Model Agreement). Specifically, each of the franchise agreements omits paragraph 4(b) of the Model Agreement.

Paragraph 4 of the Model Agreement discusses the duration of the agreement and renewal procedures. Paragraphs 4(a) and 4(b) of the Model Agreement are set out as follows:

a. If the Corporation has not previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law.

or

b. If the Corporation has previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law provided that, if during the 20-year term this Agreement, the Model Franchise Agreement is changed, then on the 7th anniversary and on the 14th anniversary of the date of the passing of the By-law, this Agreement shall be deemed to be amended to incorporate any changes in the Model Franchise Agreement in effect on such anniversary dates. Such deemed amendments shall not apply to alter the 20-year term.

Enbridge Gas submitted that, given that each of the municipalities has already been receiving gas distribution services (from Enbridge Gas and its predecessors), paragraph 4(b) is the condition that is applicable to ENGLP's franchise agreements with the municipalities.

In its reply submission, ENGLP stated that it had interpreted paragraph 4(a) to be the applicable condition, as none of the three municipalities had previously received gas distribution services from ENGLP (or its predecessors). ENGLP submitted that the OEB should approve the franchise agreements as filed but stated that, if the OEB finds paragraph 4(b) necessary, the OEB should proceed to approve the franchise agreements on the condition that the signatories amend each of their agreements to replace paragraph 4(a) with 4(b), and thereafter file the amended agreements with the OEB.

3.2 Request for Certificates of Public Convenience and Necessity

ENGLP currently holds what is commonly referred to as “limited” certificates for each of the municipalities. The certificates are limited because they authorize ENGLP to only construct pipeline facilities within the municipalities in order to supply gas to the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss.⁴

ENGLP applied to amend the authorization that it holds (under its existing certificates) to construct works to supply natural gas to the areas comprising the Brockton Project. In its application, ENGLP stated, specifically:

In terms of the request for amended [certificates] for the Municipality of Brockton, the Municipality of West Grey and the Township of Chatsworth, ENGLP proposes that the OEB follow the same process as in proceeding EB-2020-0232 when issuing new CPCNs for the Project service areas. In that proceeding the OEB issued ENGLP a new certificate for the expanded service area which cancelled and superseded ENGLP’s prior certificate. Furthermore, the OEB issued a new certificate to Enbridge Gas which excluded the new service areas granted to ENGLP and cancelled and superseded the prior certificate.

Accordingly, the new certificates, if approved, would supersede the existing certificates for each of the Municipality of Brockton, the Municipality of West Grey and the Township of Chatsworth.

In its submission, OEB staff identified an inaccuracy with respect to the proposed certificates for the Municipality of West Grey and the Township of Chatsworth. OEB staff submitted that ENGLP should file amended versions of the certificates for the OEB’s consideration. In its reply submission, ENGLP confirmed the accuracy of OEB staff’s observation, and provided revised draft certificates and service territory maps for the Municipality of West Grey and the Township of Chatsworth. ENGLP submitted that the revised draft certificates filed with its reply submission, which reflected the amendments proposed by OEB staff, should be approved by the OEB as part of the current proceeding.

Through interrogatories, JAKO Developments Inc. requested that ENGLP expand the east border of its proposed service area for the Municipality of West Grey by four

⁴ ENGLP certificates EB-2018-0263

kilometres to Mulock Road to include its subdivision development.⁵ In an interrogatory response, ENGLP stated that its ability to connect customers outside of the Brockton Project area would be subject to the EBO 188 Guidelines under which a standard test for economic feasibility would be required for these connections. ENGLP further indicated that it does not have sufficient detail to complete a financial feasibility analysis and would also need to confirm that it would be best suited to service these additional areas.

OEB staff and Enbridge Gas each submitted that the OEB should not expand the service area as requested by JAKO Developments Inc. as part of this proceeding. OEB staff further stated that the OEB should first confirm whether any additional service area requests would require an application for an amended certificate upon completion of a financial feasibility analysis and confirmation that ENGLP would be in the best position to serve that additional area. Enbridge Gas further submitted that any service to JAKO Developments Inc.'s subdivision development, or any other area, should be based on a review of the costs by each utility interested and able to provide service to that area.

In its reply submission, ENGLP agreed that a financial feasibility analysis should be completed for additional service areas that are not part of the current application. ENGLP accepted that the additional expansion requested by JAKO Developments Inc. should be excluded from the certificate at this time.

Enbridge Gas noted that the facilities proposed by ENGLP to supply gas within the municipalities will be located on territory that is already part of certificates held by Enbridge Gas and that, as long as ENGLP's expanded certificate rights within the municipalities are limited to providing service to specific customers within specific lots and concessions for which ENGLP has OEB approval to serve, there should be limited impact on Enbridge Gas's existing ratepayers given the nature of Enbridge Gas's facilities in these areas. Enbridge Gas stated, however, that only proposed certificates for the Municipality of West Grey and the Township of Chatsworth appear to identify specific areas in which ENGLP proposes to construct facilities. Enbridge Gas noted that the proposed certificate for the Municipality of Brockton covers all of the municipality except for a small part in which Enbridge Gas currently has facilities in place, even though ENGLP's proposed facilities (to Enbridge Gas's knowledge) do not cover the whole municipality (excluding the area where Enbridge Gas has facilities in place). Enbridge Gas stated that given the OEB's recent practice of restricting service areas covered by certificates to specific lots and concessions in which proposed facilities will be located, Enbridge Gas believes that leave to construct (LTC) type information is

⁵ ENGLP's responses to JAKO Developments Inc.

required in order to best describe the certificate coverage areas. Enbridge Gas submitted that the OEB should deny ENGLP's certificate request for the Municipality of Brockton and reconsider it as part of a future LTC application by ENGLP so that the specific service areas (described using metes and bounds or some other suitable method) can be properly identified.

In its submission, OEB staff took the view that the OEB has the necessary information to grant ENGLP's certificate (and franchise agreement) requests in this proceeding. OEB staff also submitted, however, that the OEB's approval of the certificates should be conditional upon ENGLP obtaining the authorization to construct the Brockton Project in a future LTC proceeding before the OEB, in order to ensure that any awarded certificates are not unused.

ENGLP first addressed Enbridge Gas's concern in an interrogatory response.⁶ ENGLP confirmed that its proposed certificate for the Municipality of Brockton includes the areas required to bring service to customers for the Brockton Project, and that (through the authorizations granted in the South Bruce Expansion Applications proceeding) ENGLP holds the certificates for and provides service in the Municipality of Kincardine and Township of Arran-Elderslie. ENGLP submitted that, with the infrastructure to be developed as part of the Brockton Project, there will be a small rural area within the Municipality of Brockton (for which Enbridge Gas currently has certificate authorization) that will be "directly sandwiched" between ENGLP's natural gas infrastructure. ENGLP submitted that, given the circumstances, it will be in the best position to provide service to the customers in this area through future expansions.

In its reply submission, ENGLP reiterated its position that the information provided regarding the details and location of its proposed facilities is sufficient, and that further details would be provided in its LTC application for the Brockton Project. ENGLP stated that Enbridge Gas's proposal that the OEB deny ENGLP's certificate request for the Municipality of Brockton in this proceeding, and that the OEB reconsider it as part of the LTC, is unreasonable and unnecessary. ENGLP also submitted that it would be agreeable if the OEB were to approve the certificates conditional upon ENGLP receiving leave to construct for the Brockton Project.

⁶ ENGLP's response to Enbridge Gas-4(b)

4 FINDINGS

I find that it is in the public interest to approve the application, for the reasons, and subject to the conditions, set out in my findings below.

4.1 Municipal Franchise Agreements

The franchise agreements filed with ENGLP's application depart from the Model Agreement at paragraph 4. Considering that each municipality has already been receiving gas distribution services, I agree with Enbridge Gas that paragraph 4(b) of the Model Agreement is the applicable clause to the new franchise agreements between ENGLP and each of the municipalities. I am approving the franchise agreements at this time, on the condition that the parties to each franchise agreement amend their respective agreement by reinserting paragraph 4(b). I expect ENGLP to thereafter file the amended franchise agreements with the OEB. The franchise agreements shall take effect on the dates that they are amended by the parties to include paragraph 4(b).

Natural gas distributors are expected to follow the form of the Model Agreement when filing applications for the approval of franchise agreements, unless there is a compelling reason for any deviation. In accordance with the Model Agreement, franchise agreements should, in all cases, contain both paragraphs 4 (a) and 4 (b), and the factual circumstances underpinning the agreement will, on a case by case basis, be determinative of which paragraph will apply. In other words, distributors do not need to delete the inoperative paragraph.

I also note that ENGLP filed its application after the franchise agreements had already been executed with the municipalities, and after the municipalities had already signed the municipal by-laws approving the franchise agreements. In the future, applications for approvals under section 9 of the *Municipal Franchises Act* should be filed with the OEB prior to the applicant and municipality having executed the proposed franchise agreement.

4.2 Certificates of Public Convenience and Necessity

I find that it is in the public interest to grant new certificates to ENGLP for each of the municipalities, conditional on the certificates taking effect when ENGLP obtains a decision and order granting leave from the OEB to construct the Brockton Project.

The certificates shall be granted in accordance with the amended drafts that were filed in ENGLP's reply submission (which include the necessary revisions to the certificates for the Municipality of West Grey and the Township of Chatsworth).

Enbridge Gas noted that, to its knowledge, ENGLP's proposed certificate for the Municipality of Brockton covers areas where ENGLP's proposed facilities are not currently expected to be located and that, therefore, the OEB should defer consideration of the certificate request for the Municipality of Brockton until ENGLP's files its LTC application. Having considered Enbridge Gas's concern, I however find that the information submitted as part of ENGLP's application in this proceeding to be consistent with its proposal to the Ontario government to obtain funding for the Brockton Project.⁷ As such, I agree with ENGLP and OEB staff that the OEB has the necessary information to approve ENGLP's certificate requests in this proceeding. I also note that ENGLP's existing and proposed natural gas infrastructure surrounds the areas covered in its requested certificate for the Municipality of Brockton. As a result, I also agree with ENGLP that it would be in the best position to serve the small area in the Municipality of Brockton as the small area would be located between ENGLP's existing and proposed natural gas infrastructure.

With respect to the request from JAKO Developments Inc. to include its subdivision development in ENGLP's service area for the Municipality of West Grey, I agree with OEB staff and Enbridge Gas that any additional expansion of service area in the municipalities should be subject to the completion of a financial feasibility analysis and confirmation of the utility best positioned to serve the additional area. I note that this was not disputed by ENGLP and would be in the best interest of JAKO Developments Inc. I also note that unlike the small area in the Municipality of Brockton that would be located between ENGLP's existing and proposed natural gas infrastructure, a feasibility analysis is needed here because the subdivision development would be located 1800 metres east of ENGLP's proposed certificate area for the Municipality of West Grey and within the area currently covered by Enbridge Gas's certificate. To that point, I note that

Enbridge Gas stated that subject to gathering further information and conducting the appropriate feasibility analysis, it would be competitive to provide the service needed for this or any other development in this area. Any requests by ENGLP, Enbridge Gas, or any other natural gas distributor to serve customers in service areas within the municipalities that are outside of the service areas included in the certificates granted in

⁷ EB-2019-0255, ENGLP's proposal for the Brockton Project, filed November 24, 2020

this proceeding should be made in a new application to the OEB. Such an application could be dealt with on an expedited basis were the applicant to include a financial feasibility analysis and provide evidence indicating that another gas distributor would not be contesting the application (i.e., confirmation that the parties agree which distributor is best positioned to serve the additional area).

ENGLP's new certificates are being issued with this Decision and Order, but they will not become effective until the date that ENGLP receives a decision and order granting leave to construct for the Brockton Project. The certificates are attached as Schedule A, C and E for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth respectively. The certificates will enable ENGLP to bring natural gas service to unserved areas within each of the municipalities, in accordance with the Brockton Project, subject to ENGLP receiving a decision and order granting leave to construct for the Brockton Project.

Upon their effective dates, ENGLP's new certificates will supersede ENGLP's current certificates for the municipalities.

New certificates, attached as Schedule G, H and I to this Decision and Order, are also granted to Enbridge Gas for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth. Under these new certificates, Enbridge Gas's authorization to serve the municipalities will exclude the service areas granted to ENGLP in this proceeding. These new certificates will not become effective until the date that ENGLP receives a decision and order granting leave to construct for the Brockton Project and, upon their effective dates, the new certificates will supersede Enbridge Gas's current certificates for the municipalities.

5 ORDER

IT IS ORDERED THAT:

1. The terms and conditions upon which, and the period for which, the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth are each, by by-law, to grant to EPCOR Natural Gas Limited Partnership 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 each respective municipality, as set out in the Model Franchise Agreement, are approved. The franchise agreements shall take effect on the dates that they are amended to include paragraph 4(b), as set out above in this Decision and Order.
2. The assent of the municipal electors of each of the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth to the by-laws is not necessary.
3. Certificates of public convenience and necessity are granted to EPCOR Natural Gas Limited Partnership to construct works or supply natural gas within the Municipality of Brockton (attached at Schedule A), the Municipality of West Grey (attached at Schedule C), and the Township of Chatsworth (attached at Schedule E). EPCOR Natural Gas Limited Partnership's service territory in each of the municipalities is limited to the areas set out in the maps attached at Schedules B, D and F, respectively. The certificates of public convenience and necessity shall take effect on the date that EPCOR Natural Gas Limited Partnership has a decision and order granting leave to construct for the Brockton Project. On their effective dates, EPCOR Natural Gas Limited Partnership's new certificates will supersede its existing certificates for the Municipality of Brockton, the Municipality of West Grey, and the Township of Chatsworth (EB-2018-0263).
4. Certificates of public convenience and necessity are granted to Enbridge Gas Inc. to construct works or supply natural gas within the Municipality of Brockton (attached at Schedule G), the Municipality of West Grey (attached at Schedule H), and the Township of Chatsworth (attached at Schedule I). The certificates of public convenience and necessity shall take effect on the date that EPCOR Natural Gas Limited Partnership has a decision and order granting leave to construct the Brockton Project. On their effective dates, Enbridge Gas Inc.'s new certificates will

supersede its existing certificates for the municipalities (EB-2009-0090, EB-2007-0819 and EB-2008-0081).

5. EPCOR Natural Gas Limited Partnership shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at Toronto February 17, 2022

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

SCHEDULE A

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE
MUNICIPALITY OF BROCKTON**

EPCOR NATURAL GAS LIMITED PARTNERSHIP

EB-2021-0269

FEBRUARY 17, 2022

EB-2021-0269-A

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

EPCOR Natural Gas Limited Partnership

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply natural gas in the

Municipality of Brockton

as it is constituted on the date of this Decision and Order,

excluding areas within the Municipality located East of Bruce Road 3 and South of Concession Rd 4 West.

DATED at Toronto, February 17, 2022

EFFECTIVE on the date EPCOR Natural Gas Limited Partnership receives a Decision and Order of the OEB granting it leave to construct the Brockton Project pursuant to O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

SCHEDULE B

SERVICE TERRITORY MAP FOR THE MUNICIPALITY OF BROCKTON

EPCOR NATURAL GAS LIMITED PARTNERSHIP

EB-2021-0269

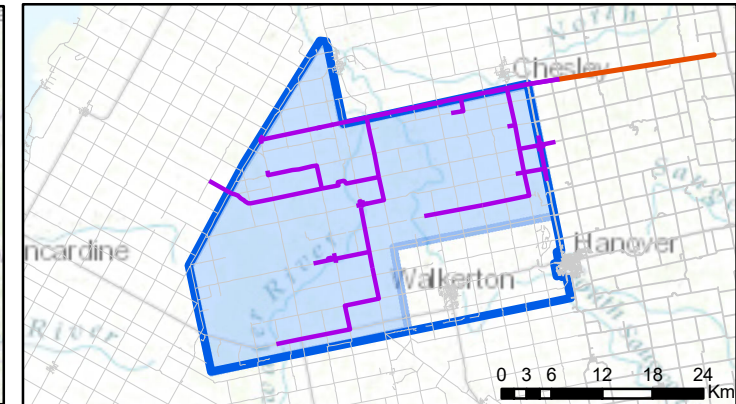
FEBRUARY 17, 2022



Key Map



Municipality of Brockton



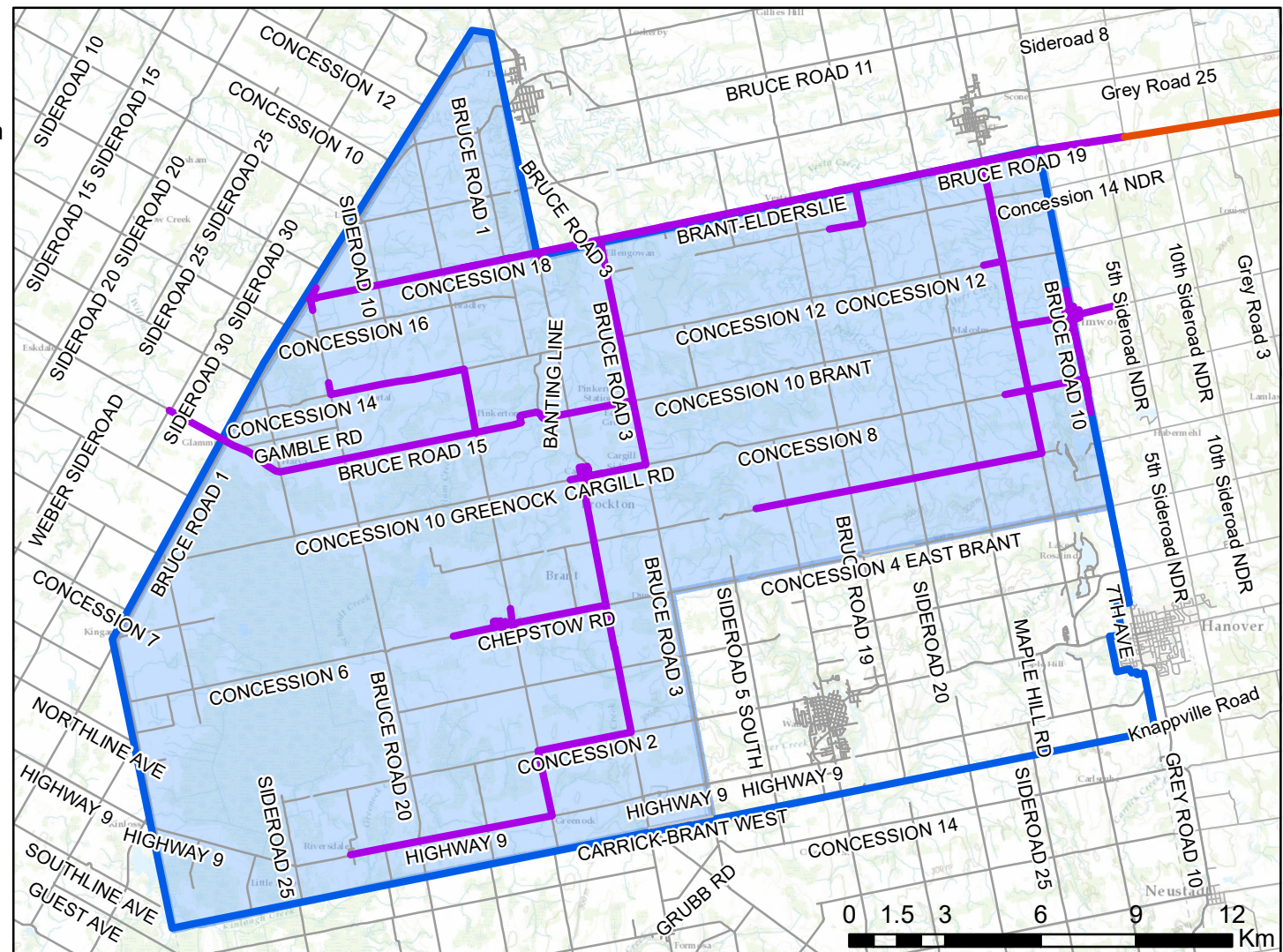
CPCN Request Brockton

- Proposed Brockton System Expansion
- Proposed Brockton CPCN
- Limited CPCN (EB-2018-0263)
- Brockton Municipal Boundary



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Requested Area



SCHEDULE C

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE
MUNICIPALITY OF WEST GREY**

EPCOR NATURAL GAS LIMITED PARTNERSHIP

EB-2021-0269

FEBRUARY 17, 2022

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

EPCOR Natural Gas Limited Partnership

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply natural gas in the

Municipality of West Grey

as it is constituted on the date of this Decision and Order, within:

- Bruce Road 10 starting at Bentinck-Sullivan Townline and ending at Concession Road 6
- East down Concession Road 6 ending at Grey Road 3
- Continuing North on Grey Road 3 and ending at Bentinck-Sullivan Townline

and

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, limited to constructing pipeline facilities along

- Grey Road 25, starting at the Dornoch Meter and Regulator Station and ending at Grey Road 3

DATED at Toronto, February 17, 2022

EFFECTIVE on the date EPCOR Natural Gas Limited Partnership receives a Decision and Order of the OEB granting it leave to construct the Brockton Project pursuant to O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

SCHEDULE D

SERVICE TERRITORY MAP FOR THE MUNICIPALITY OF WEST GREY

EPCOR NATURAL GAS LIMITED PARTNERSHIP

EB-2021-0269

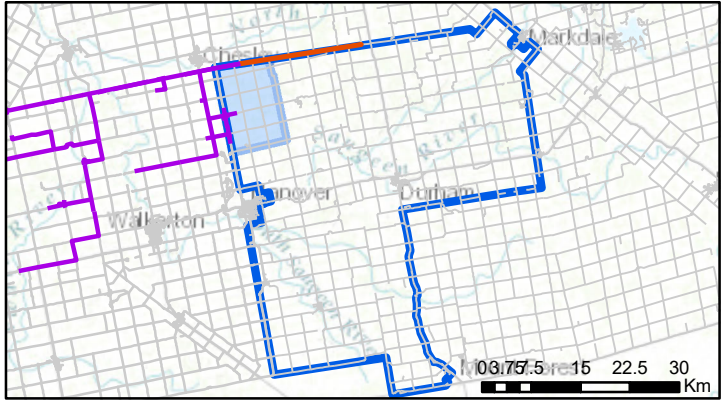
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Key Map



Township of West Grey

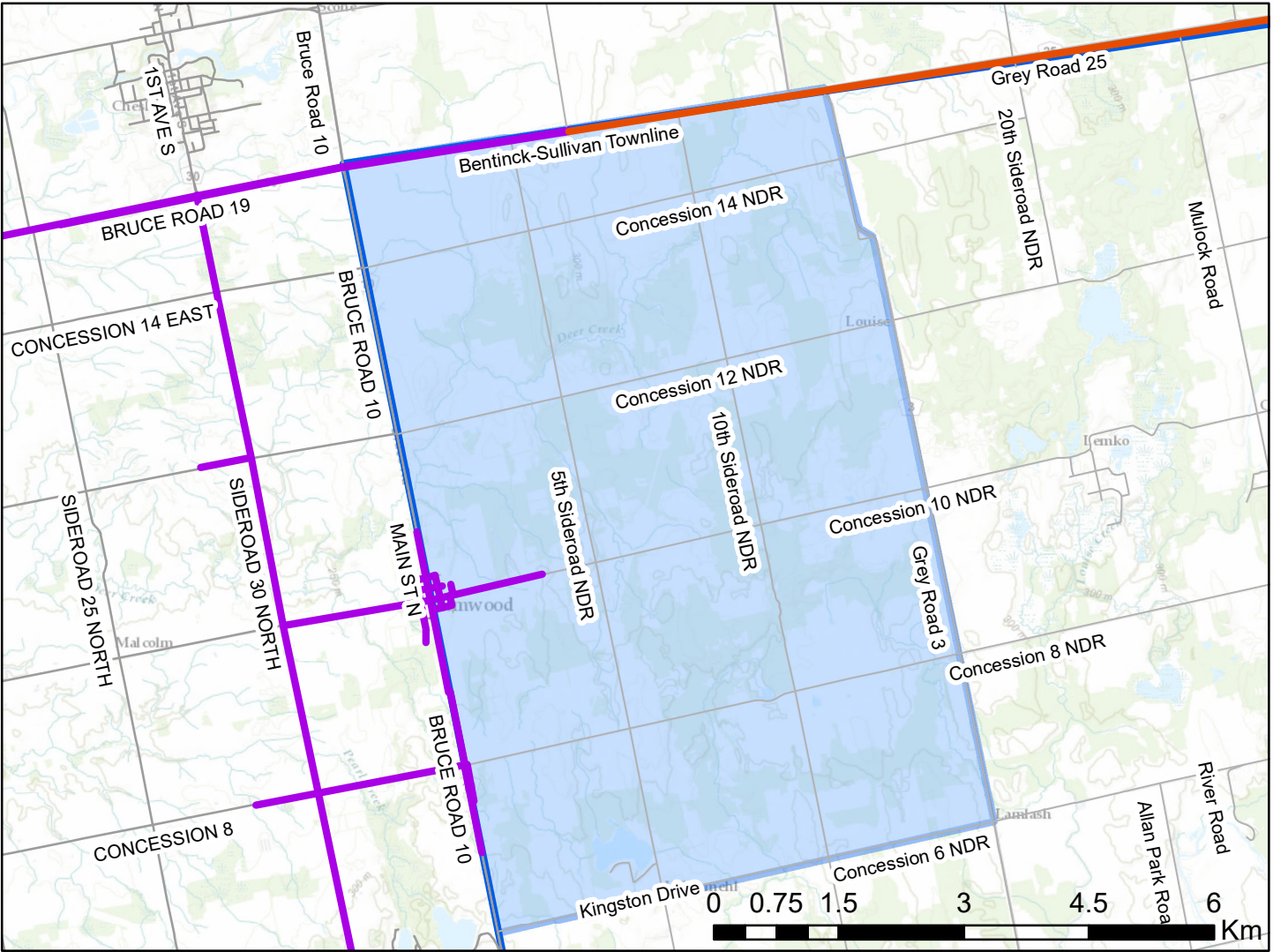


CPCN Request West Grey

- Proposed Brockton System Expansion
- Proposed West Grey CPCN
- Limited CPCN (EB-2018-0263)
- West Grey Boundary



Requested Area



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SCHEDULE E

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE
TOWNSHIP OF CHATSWORTH**

EPCOR NATURAL GAS LIMITED PARTNERSHIP

EB-2021-0269

FEBRUARY 17, 2022

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

EPCOR Natural Gas Limited Partnership

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply natural gas in the

Township of Chatsworth

as it is constituted on the date of this Decision and Order, within:

- Bruce Road 10 starting at Bentinck-Sullivan Townline and ending at Sideroad 7
- Continuing East on Sideroad 7 ending at Grey Road 3
- Continuing South on Grey Road 3 and ending at Bentinck-Sullivan Townline

and

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, limited to constructing pipeline facilities along

- Grey Road 25, starting at the Dornoch Meter and Regulator Station and ending at Grey Road 3

DATED at Toronto, February 17, 2022

EFFECTIVE on the date EPCOR Natural Gas Limited Partnership receives a Decision and Order of the OEB granting it leave to construct the Brockton Project pursuant to O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

SCHEDULE F

SERVICE TERRITORY MAP FOR THE TOWNSHIP OF CHATSWORTH

EPCOR NATURAL GAS LIMITED PARTNERSHIP

EB-2021-0269

FEBRUARY 17, 2022



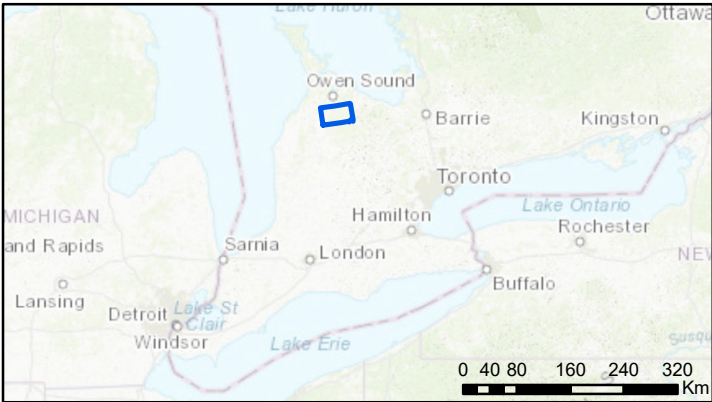
CPCN Request Chatsworth

- Proposed Brockton System Expansion
- Proposed Chatsworth CPCN
- Limited CPCN (EB-2018-0263)
- Township of Chatsworth Boundary

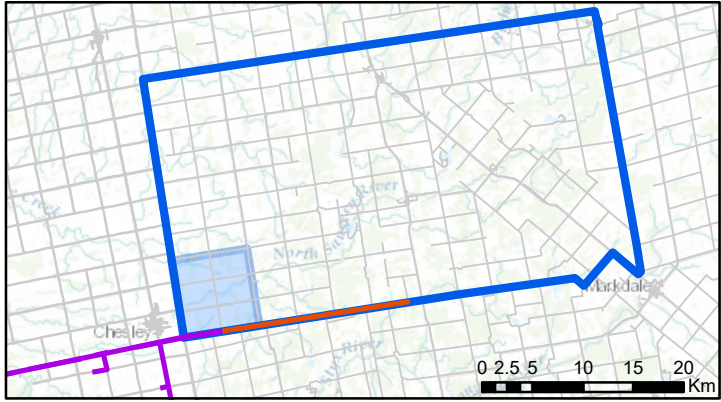


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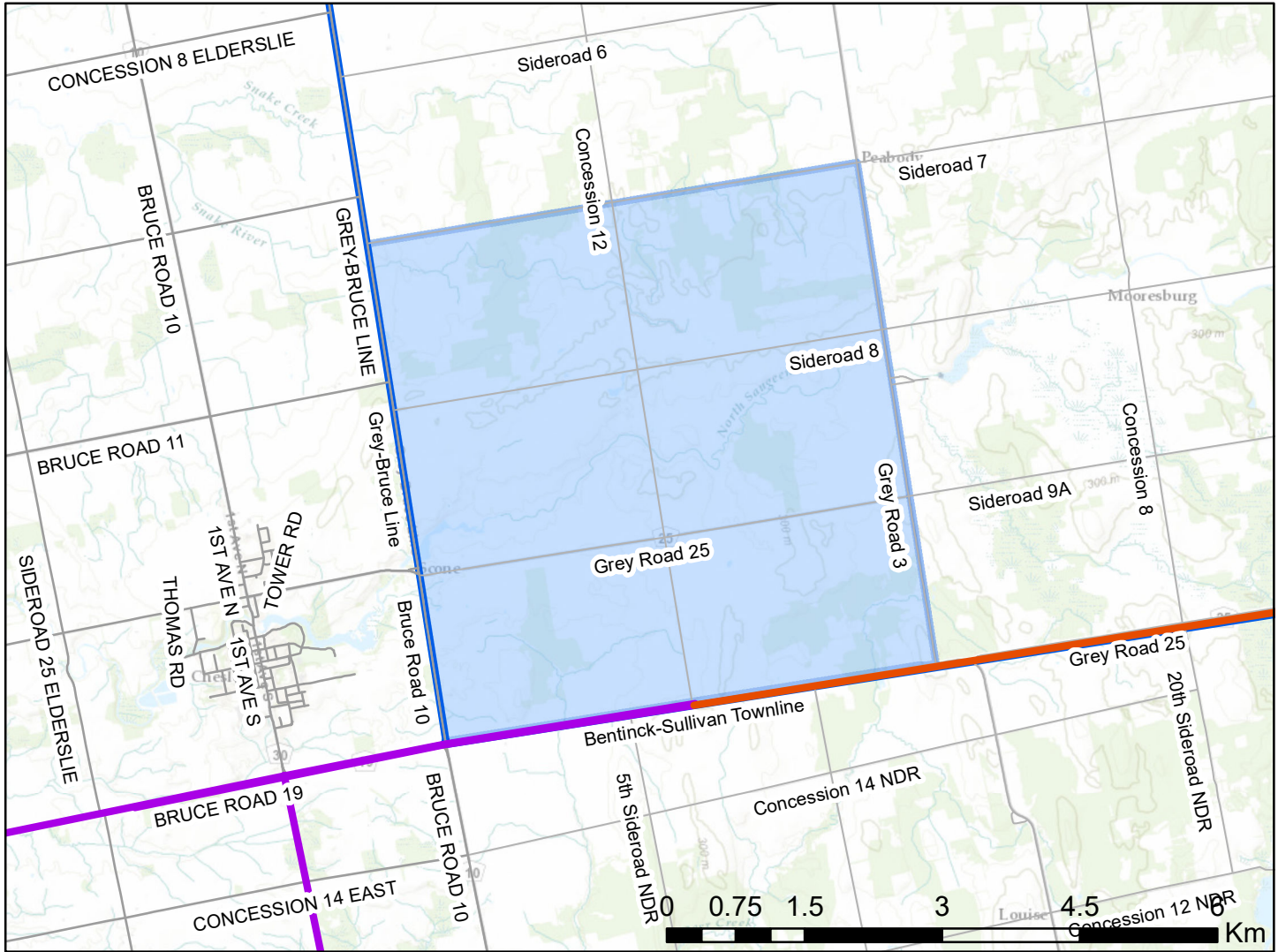
Key Map



Township of Chatsworth



Requested Area



SCHEDULE G

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE
MUNICIPALITY OF BROCKTON**

ENBRIDGE GAS INC

EB-2021-0269

FEBRUARY 17, 2022

EB-2021-0269-G

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

Enbridge Gas Inc.

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply natural gas in the

Municipality of Brockton

as it is constituted on the date of this Decision and Order, in the area:

within the Municipality located East of Bruce Road 3 and South of Concession Rd 4 West.

DATED at Toronto, February 17, 2022

EFFECTIVE on the date EPCOR Natural Gas Limited Partnership receives a Decision and Order of the OEB granting it leave to construct the Brockton Project pursuant to O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

SCHEDULE H

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE
MUNICIPALITY OF WEST GREY**

ENBRIDGE GAS INC

EB-2021-0269

FEBRUARY 17, 2022

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

Enbridge Gas Inc.

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply natural gas in the

Municipality of West Grey

as it is constituted on the date of this Decision and Order, except in the area within:

- Bruce Road 10 starting at Bentinck-Sullivan Townline and ending at Concession Road 6
- East down Concession Road 6 ending at Grey Road 3
- Continuing North on Grey Road 3 and ending at Bentinck-Sullivan Townline

DATED at Toronto, February 17, 2022

EFFECTIVE on the date EPCOR Natural Gas Limited Partnership receives a Decision and Order of the OEB granting it leave to construct the Brockton Project pursuant to O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

SCHEDULE I

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE
TOWNSHIP OF CHATSWORTH**

ENBRIDGE GAS INC

EB-2021-0269

FEBRUARY 17, 2022

Certificate of Public Convenience and Necessity

The Ontario Energy Board grants

Enbridge Gas Inc.

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply natural gas in the

Township of Chatsworth

as it is constituted on the date of this Decision and Order, except in the area within:

- Bruce Road 10 starting at Bentinck-Sullivan Townline and ending at Sideroad 7
- Continuing East on Sideroad 7 ending at Grey Road 3
- Continuing South on Grey Road 3 and ending at Bentinck-Sullivan Townline

DATED at Toronto, February 17, 2022

EFFECTIVE on the date EPCOR Natural Gas Limited Partnership receives a Decision and Order of the OEB granting it leave to construct the Brockton Project pursuant to O. Reg. 451/21: Expansion of Natural Gas Distribution Systems, made under the *Ontario Energy Board Act, 1998*.

ONTARIO ENERGY BOARD

Pascale Duguay
Manager, Natural Gas

THIS IS EXHIBIT 'B' referred to in
the Affidavit of Tim Hesselink sworn
before me this 10th day of March,
2022.

A handwritten signature in cursive script, appearing to read "H. Hesselink", is written above a horizontal line.

A Commissioner, etc.

EXHIBIT B

Municipality of Brockton

Fiona Hamilton, Director of Legislative and Legal Services (Clerk)
Municipality of Brockton
Box 68, 100 Scott Street,
Walkerton, ON
NOG 2V0

Municipality of West Grey

Genevieve Scharback
Director of Administration / Clerk
Municipality of West Grey
402813 Grey Road 4
RR 2 Durham, ON
NOG 1R0

Township of Chatsworth

Patty Sinnamon
CAO Clerk
Township of Chatsworth
316837 Highway 6, RR 1
Chatsworth, Ontario, Canada
NOH 1G0

Canada Post/Postes Canada
SHOPPERS DRUG MART #0646
175 FIRST ST
COLLINGWOOD, ON L9Y 4L0
GST/TPS#848539343

2022/02/22 09:41:51 CAROL
CC103186 W/G 2

H XPRESSPOST/XP \$14.91

Item Weight/Poids de l'article:0.098
kg
Volumetric Equivalent (VE)/
Équivalent volumétrique (EV):0.420
Destination:Canada
Postal code - ZIP Code/Code postal -
ZIP:NOH1G0



0103186265693013

H INSUR. PARC XP P/C/COLIS ASSUR XP P/C \$0.00

Amount covered/Montant de la
couverture:\$100.00

H DELIVERY CFIRM./CON DE LIVRAISON \$0.00

H FUEL SURCHARGE/SUPPLEMENT POUR CAR \$2.83

H XPRESSPOST/XP \$14.91

Item Weight/Poids de l'article:0.098
kg
Volumetric Equivalent (VE)/
Équivalent volumétrique (EV):0.420
Destination:Canada
Postal code - ZIP Code/Code postal -
ZIP:NOG1R0



0103186265704016

H INSUR. PARC XP P/C/COLIS ASSUR XP P/C \$0.00

Amount covered/Montant de la
couverture:\$100.00

H DELIVERY CFIRM./CON DE LIVRAISON \$0.00

H FUEL SURCHARGE/SUPPLEMENT POUR CAR \$2.83

H XPRESSPOST/XP \$14.91

Item Weight/Poids de l'article:0.098
kg
Volumetric Equivalent (VE)/
Équivalent volumétrique (EV):0.420
Destination:Canada
Postal code - ZIP Code/Code postal -
ZIP:NOG2V0



0103186265715012

H INSUR. PARC XP P/C/COLIS ASSUR XP P/C \$0.00

Amount covered/Montant de la
couverture:\$100.00

H DELIVERY CFIRM./CON DE LIVRAISON \$0.00

H FUEL SURCHARGE/SUPPLEMENT POUR CAR \$2.83

SUBTL/SOUS-TOTAL \$53.22
HST/TVH \$6.93
TOTAL \$60.15

Visa \$60.15

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bureau de poste.

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do(es) not contain non-mailable matter./
L'expéditeur confirme que l'article
expédie ne contient aucun objet
inadmissible.

Tell us how we did today. Complete the
survey at canadapostsurvey.ca or text
survey to 55555 and enter to WIN one of
two \$250 Prepaid Visa Cards. (Standard
message and data rates would apply for
text message.)/
Parlez-nous de votre expérience
aujourd'hui. Répondez au sondage sur le
site son

dagepostescanada.ca ou envoyez un message
texte à sondage au 55555 et courez la
chance de GAGNER l'une des deux cartes
Visa prépayées de 250\$. (Les frais
standard pour les messages textes et les
données s'appliquent.)

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Some exceptions apply./

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l'appli mobile: Certaines conditions

SHOPPERS DRUG MART #0646
175 FIRST ST
COLLINGWOOD, ON L9Y1A5
(705) 444-6055

SALE

REF#: 00000000
Batch #: 124 SEQ: 12400100100
02/22/22 09:41:34
APPR CODE: 053804
VISA
*****0991C

AMOUNT \$60.15

00 - APPROVED - 001

Visa Credit
AID: A0000000031010
TVR: 00 80 00 80 00
TSI: F8 00

Thank You
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