



Municipality of
Leamington
live | play | work

Sent via email – registrar@oeb.ca

November 8, 2022

Ontario Energy Board
2300 Young Street, 27th Floor
Toronto, ON M4P 1E4
Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: Enbridge Gas Inc. ("Enbridge")
Application for Renewal of Franchise Agreement
The Corporation of the Municipality of Leamington ("Leamington")
Ontario Energy Board File No. EB-2022-0201

I enclose herein:

- 1) Evidence of the Municipality of Leamington; and
- 2) Correspondence to Enbridge Gas Inc. serving the Evidence.

The Evidence is being filed in accordance with Procedural Order 1.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Matthew Todd

Matthew Todd, LL.B.
Lawyer
Legal Services

T: 519-326-5761 ext. 1105
E: mtodd@leamington.ca

cc. Patrick McMahon – patrick.mcmahon@enbridge.com
Ruth Orton – Director, Legal & Legislative Services
Brenda Percy - Clerk

EVIDENCE OF THE MUNICIPALITY OF LEAMINGTON ("Leamington")

AFFIDAVIT OF LU-ANNE MARENTETTE

I, Lu-Ann Marentette of the Town of Lakeshore, in the County of Essex and Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:

1. I am a Drainage Superintendent employed by, The Corporation of the Municipality of Leamington (hereinafter the "Municipality"), and as such have knowledge of the matters to which I hereinafter depose. In instances where I have acquired knowledge from a third party, I have stated the source of that information and verily believe it to be true.
2. I am aware of the application filed by Enbridge Gas Inc (hereinafter "Enbridge") before the Ontario Energy Board (hereinafter "OEB") with respect to the request of Enbridge to renew its Franchise Agreement with the Municipality.
3. I have worked in the Drainage Department as a Superintendent for 17 years. I am familiar with the drainage system in Leamington and have knowledge of drainage works in general, across the Province of Ontario.
4. The Municipality is home to 445 municipal drains, covering 436 kilometers. Attached hereto and marked as Exhibit "A" to this my affidavit is a map showing the various drainage

systems in the Municipality, taken from the Municipality's GIS mapping system. Further attached hereto and marked as Exhibit "B" to this my affidavit is a map showing the various drainage systems in the Municipality, taken from the Municipality's GIS mapping system, which includes concession roads.

5. The drainage systems in the Municipality are unique.

6. The Municipality, like much of Essex County, is very flat. There is little topographic relief. Outside of the Municipality and Essex County, the land topography has a rolling landscape with ample drainage to provide sufficient drainage for lands and roads.

7. In addition to having very flat topography, Leamington also has a large majority of its municipal drains along roadways and within the right of way. With drains being located in the right of way and along roadways, it creates conflicts with various utilities including gas. Attached hereto and marked as Exhibit "C" to this my affidavit is a map depiction taken from the Municipality's GIS mapping system along Mersea Road 6 and Highway 77 showing the conflict between the gas main and the municipal drain.

8. Given the flat lands that exist in the Municipality, there is limited flexibility with available depths and grades to satisfactorily drain lands contributing to a particular drain, whether it is an open or covered drain. As such, these depths and grades are typically fixed and cannot be adjusted without significant and costly improvements to the drainage such as by adding pumps or diversion.

9. Further complicating the Municipality's drainage system is the fact that a portion of the Municipality (located in the South East) is approximately 1.79 meters below sea level. As such, the Municipality has to employ the use of 10 pump stations. These 10 pump stations contain a total of 7 electric powered pumps and 7 diesel powered pumps, which range in size from 24" to 48". These pump stations are necessary to drain approximately 22.8 square km's of the Municipality.

10. I make this affidavit in support of the Municipality's response to the Enbridge application to renew the Franchise Agreement and for no other or improper purpose.

SWORN BEFORE ME)
at the Municipality of Leamington,)
in the County of Essex and Province)
of Ontario, the 25 day of November 2022)

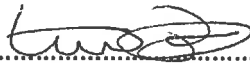


A Commissioner for taking Affidavits
Matthew Todd

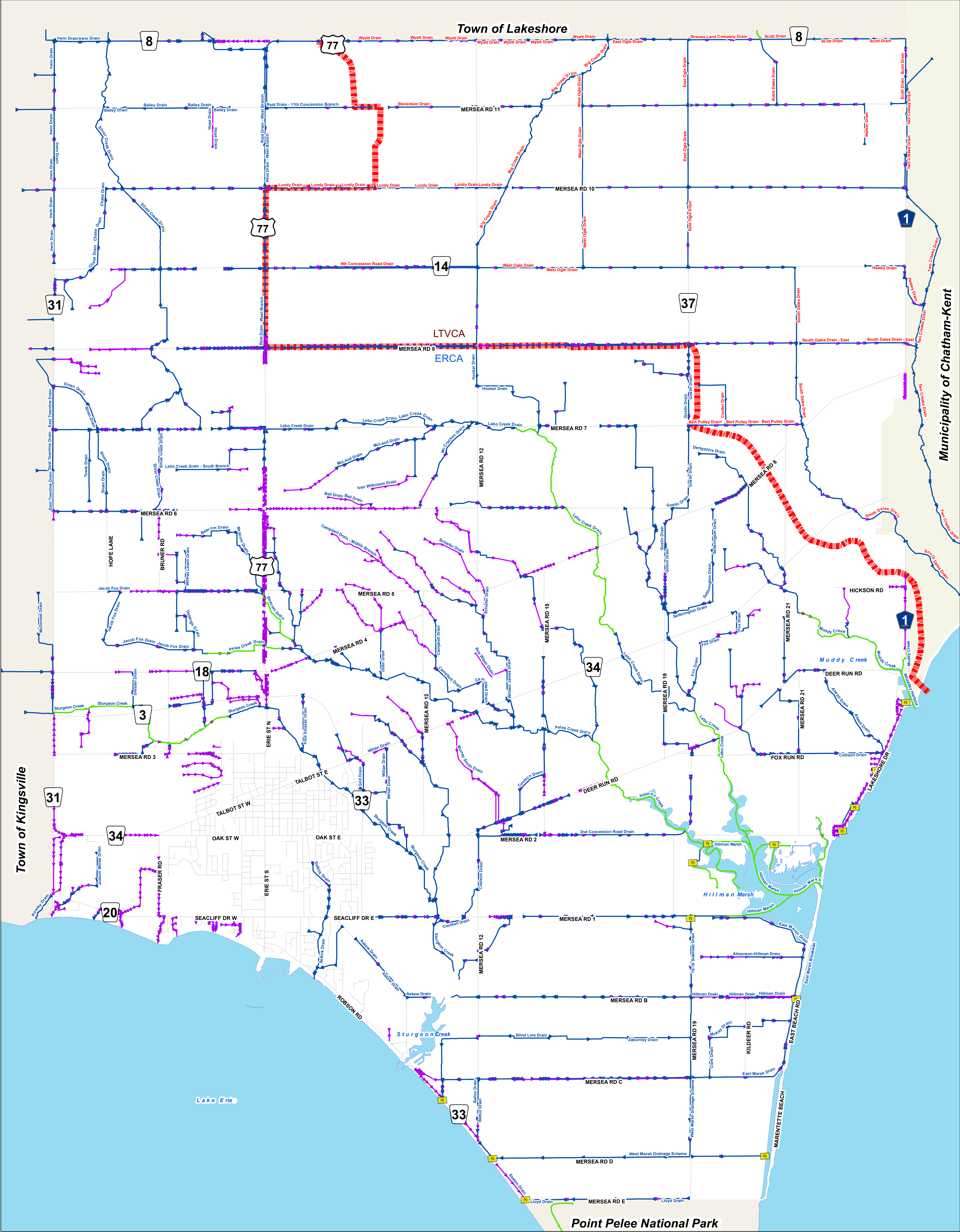


LU-ANN MARENTETTE

THIS IS EXHIBIT "A"
REFERRED TO IN THE AFFIDAVIT OF LU-ANN MARENTETTE
SWORN BEFORE ME THIS 8TH DAY
OF NOVEMBER, 2022

A handwritten signature in black ink, appearing to be "L. Marentette", is written over a horizontal dotted line.

A Commissioner, etc.



Title:


Leamington Drainage Map - 2022

Scale:

1:25,000

06251,2502,500

Meters




Municipality of
Leamington
live I play I work


COPYRIGHT


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Provided by the: Municipality of Leamington - GIS Services
111 Erie Street North, Leamington, Ontario N8H 2Z9
TEL: (519) 326-5761 FAX: (519) 326-2461





Legend


 Pump Stations

 Conservation Authority Boundary

MUNICIPAL DRAINS

 Channelized

 Natural

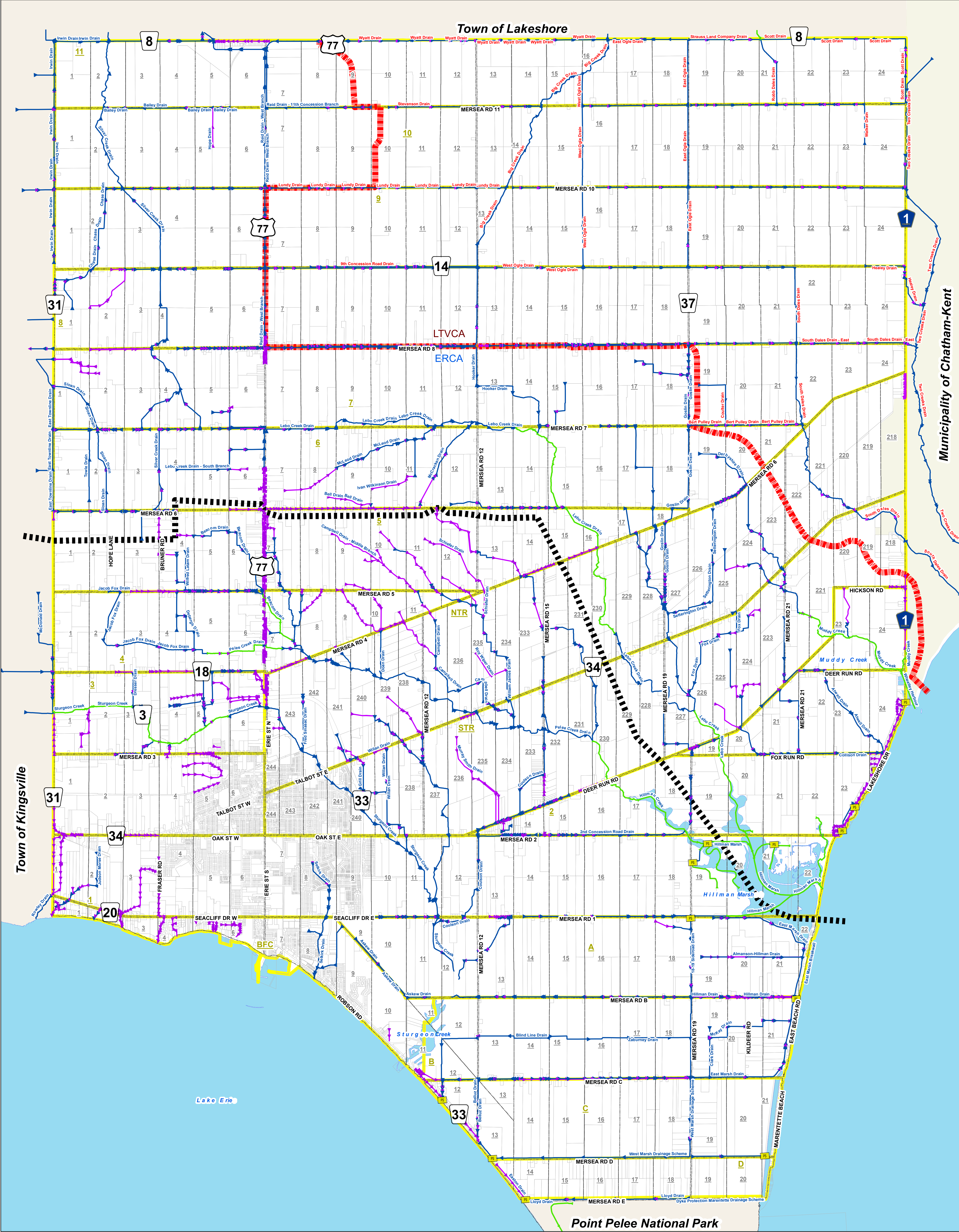
 Tiled

Path: I:\GIS\Drainage\MapOutput\MapOutput_271661_1.mxd, 2022.mxd

THIS IS EXHIBIT "B"
REFERRED TO IN THE AFFIDAVIT OF LU-ANN MARENTETTE
SWORN BEFORE ME THIS 8TH DAY
OF NOVEMBER, 2022



.....
A Commissioner, etc.



Title:


Leamington Drainage Map - 2022

Scale:

1:25,000

0 625 1,250 2,500


Meters




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



Legend


 Pump Stations


 Conservation Authority Boundary

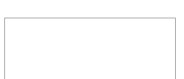
 Channelized


 Natural

 Tiled

 North/South Drain Areas

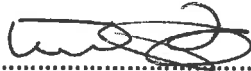
 Field Lots

 Parcels

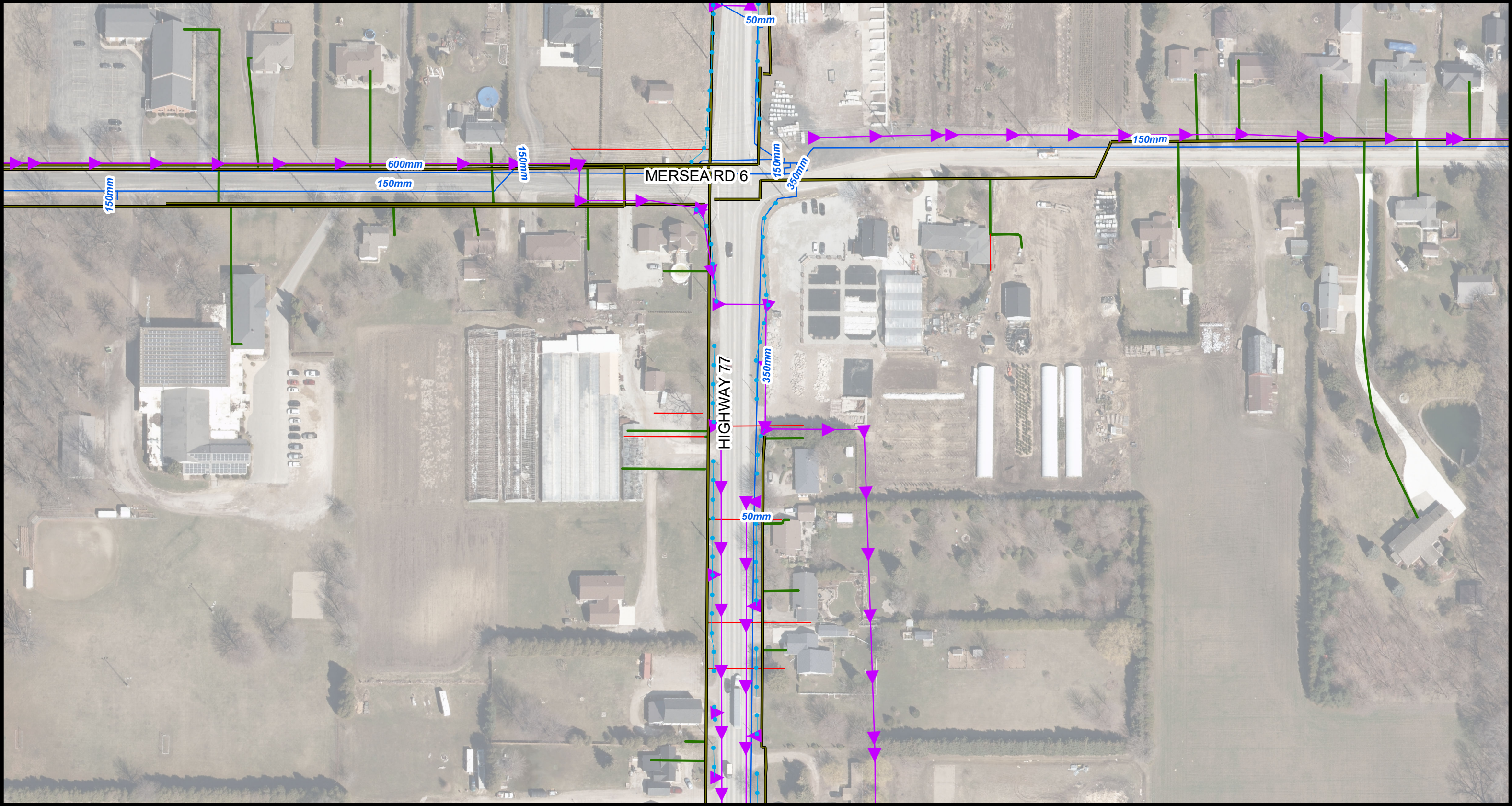
 Concessions

1051 DrainageMap2022.mxd 27/06/2022





THIS IS EXHIBIT "C"
REFERRED TO IN THE AFFIDAVIT OF LU-ANN MARENTETTE
SWORN BEFORE ME THIS 8TH DAY
OF NOVEMBER, 2022

A handwritten signature in black ink, consisting of a series of loops and flourishes, positioned above a horizontal dotted line.

A Commissioner, etc.



Legend

-  Tiled
-  Gas
-  Union Water Watermains
-  Watermains

Aerial Photography 2022



Date: 2022-11-03

Title:

MUNICIPALITY OF LEAMINGTON

Scale:

1:1,500



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