

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B; and in particular sections 90(1) and 97 thereof;

AND IN THE MATTER OF an application by Enbridge Gas Inc. for an order granting leave to construct natural gas distribution pipelines and ancillary facilities that make up a Community Expansion Project to serve the community of Mohawks of the Bay of Quinte First Nation and part of Tyendinaga Township.

APPLICATION

1. Enbridge Gas Inc. (“Enbridge Gas” or the “Company”) hereby applies to the Ontario Energy Board (“OEB”) pursuant to section 90(1) of the Ontario Energy Board Act, 1998, S.O. 1998, c. 15, Schedule B (the “Act”), for an order granting leave to construct natural gas pipelines and facilities, as described herein, in the Tyendinaga Mohawk Territory and the Township of Tyendinaga (“Township”), which are in Hastings County, Ontario. The pipelines and facilities consist of:
 - (a) Approximately 2.8 km of Nominal Pipe Size (“NPS”) 4 polyethylene (“PE”) natural gas distribution pipelines, and
 - (b) Approximately 14.5 km of NPS 2 PE natural gas distribution pipelines.
2. For ease of reference and to assist the OEB with preparation of the notice of application for the Project, a map of the proposed facilities is included as Attachment 1 to this Exhibit.

3. On June 9, 2021, the proposed Mohawks of the Bay of Quinte Community Expansion Project (“Project”) was approved to receive funding assistance as part of Phase 2 of the Government of Ontario’s Natural Gas Expansion Program (“NGEP”), which provides financial support to help utilities expand natural gas distribution in communities that are not currently connected to the natural gas system. The Project will provide approximately 166 residential and 13 commercial/industrial forecasted customers located in the communities of Mohawks of the Bay of Quinte First Nation (“MBQFN”) and parts of the Township with access to safe, reliable, and affordable natural gas distribution services.
4. Enbridge Gas has entered into a 20-year Municipal Franchise Agreement with the Township, effective August 23, 2010.¹ Enbridge Gas also holds a Certificate of Public Convenience and Necessity for any project work within the Township² and a permit issued under Section 28 of the Indian Act related to the Tyendingaga Mohawk Territory.³
5. With leave of the OEB, construction of the Project is planned to commence in July 2023 and the proposed pipelines and facilities are expected to be placed into service in December 2023. To meet construction timelines, Enbridge Gas respectfully requests the approval of this application as soon as possible and ideally not later than June 2023. The proposed Project milestones can be found at Exhibit B, Tab 1, Schedule 1, Table 3.
6. Enbridge Gas intends to charge a System Expansion Surcharge (“SES”) to all new customers taking gas distribution service from the Project. In accordance with the OEB’s EB-2020-0094 Decision and Order, the SES will be a fixed

¹ EB-2010-0183, Schedule C

² EB-2019-0255, Schedule 5E-6(a), 2020-11-30

³ *Ibid*, Schedule 5E-6(b)

volumetric rate of \$0.23 per cubic metre of gas to be charged in addition to Enbridge Gas's base distribution rates as approved by the OEB. The SES is proposed to be charged to all customers taking gas distribution service from the Project for a term of 40 years. Detailed information about the proposed SES and its applicability to the Project can be found in Exhibit E, Tab 1, Schedule 1.

7. If the OEB determines that it will conduct a hearing for this application, then Enbridge Gas requests that it proceed by way of written hearing in English.
8. Enbridge Gas requests that the OEB make the following orders:
 - (i) pursuant to section 90(1) of the Act, an order granting leave to construct the Project; and
 - (ii) pursuant to section 97 of the Act, an order approving the form of temporary land use agreements and easement agreements found at Exhibit G, Tab 1, Schedule 1, Attachments 1 and 2.
9. Enbridge Gas requests that copies of all documents filed with the OEB in connection with this proceeding be served on it and on its counsel, as follows:

(a) The Applicant:	Eric VanRuymbeke Sr. Advisor, Leave to Construct Applications
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(b) The Applicant's counsel: Tania Persad
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DATED at the City of Chatham, Ontario this 20th day of December, 2022.

ENBRIDGE GAS INC.

Eric VanRuymbeke,
Sr. Advisor, Leave to Construct Applications