

January 4, 2024

Ms. Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Notification of Municipal Boundary Change / Request for CPCN
City of Cornwall**

The Natural Gas Facilities Handbook (issued March 31, 2022) states the following:

3.6.2 Municipal Changes that do not affect another Person's Certificate Rights

If the boundaries of a person's existing certificate are affected by a municipal amalgamation or annexation, and no other person holds a certificate for any part of the newly amalgamated or annexed municipal territories, then the person should notify the OEB within 90 days of the date that the change takes effect to have the certificate amended to reflect the change. The OEB will not as a matter of course amend the territory covered by the person's existing certificate to include any additional service area that was added to the municipality through the amalgamation or annexation. The certificate would be amended to include the metes and bounds of the person's existing certificate. However, the certificate holder could also apply for a new certificate that would include any additional service area within the newly amalgamated territories.

Ontario Energy Board (OEB) staff later clarified this section of the Natural Gas Facilities Handbook by confirming that if no one else's Certificate of Public Convenience and Necessity (CPCN) rights are affected by the change to a municipal boundary, then notice of the change may be provided to the OEB in a letter. An example of this would be if the incumbent already holds CPCNs for all the affected areas. An application would only be required if the incumbent knows that it stands to gain additional CPCN rights.

The City of Cornwall is a single-tier municipality located within the municipal boundaries of the United Counties of Stormont, Dundas and Glengarry. While its administrative offices are located in the City of Cornwall, the United Counties of Stormont, Dundas and Glengarry excludes the City of Cornwall and the Mohawk Nation of Akwesasne from an administrative perspective.

Cornwall was originally incorporated as a town in 1834 and continued to expand with annexations of parts of the former Township of Cornwall until it was incorporated as a city on January 1, 1957.

In 1974, the City of Cornwall annexed additional lands (described as “Block B”) from the former Township of Cornwall pursuant to the *City of Cornwall Annexation Act*, although the Act itself does not specifically describe the boundaries of those annexed lands.

Attached hereto and marked as Schedule A is a map showing the geographical location of the City of Cornwall and a customer density representation of Enbridge Gas’ current service area. Enbridge Gas currently serves approximately 16,100 customers in the City of Cornwall.

The initial franchise agreement Bylaw 405-1956 allowing for the installation of gas distribution pipelines within the City of Cornwall was approved in 1957 (Lakeland Natural Gas). The Ontario Fuel Board issued a CPCN to Lakeland Natural Gas on July 16, 1957 (FBC 91 – see Schedule B attached).

Consumers’ Gas had a franchise agreement with the City of Cornwall effective June 11, 1957 (per Bylaw 461-1957) in order to allow the installation of gas mains along Boundary Road to provide gas distribution service to the Township of Charlottenburgh (now the Township of South Glengarry). This franchise agreement was approved by the City of Cornwall as part of a competitive bidding process in 1957 between Consumers Gas, Cornwall Natural Gas Co. and Lakeland Natural Gas to supply the city with natural gas. The Ontario Fuel Board approved the franchise agreement in its FBA 141 Order dated May 22, 1957, but Consumers’ Gas did not install any pipelines pursuant to this franchise agreement.

Enbridge Gas (Lakeland Natural Gas) originally had CPCNs for the former Township of Cornwall (FBC 226) and the former Township of Osnabruck (FBC 215). The Township of South Stormont was established on January 1, 1998 with the amalgamation of the former Townships of Cornwall and Osnabruck. CPCNs FBC 226 and FBC 215 were cancelled when Union Gas was granted a new CPCN for the Township of South Stormont in 2013 (EB-2013-0259 – see Schedule C attached).

Enbridge Gas currently has franchise agreements with and CPCNs that cover all areas of the municipalities within the United Counties of Stormont, Dundas and Glengarry that are all around the City of Cornwall - the Township of North Dundas, the Township of North Glengarry, the Township of North Stormont, the Township of South Dundas, the Township of South Glengarry and the Township of South Stormont.

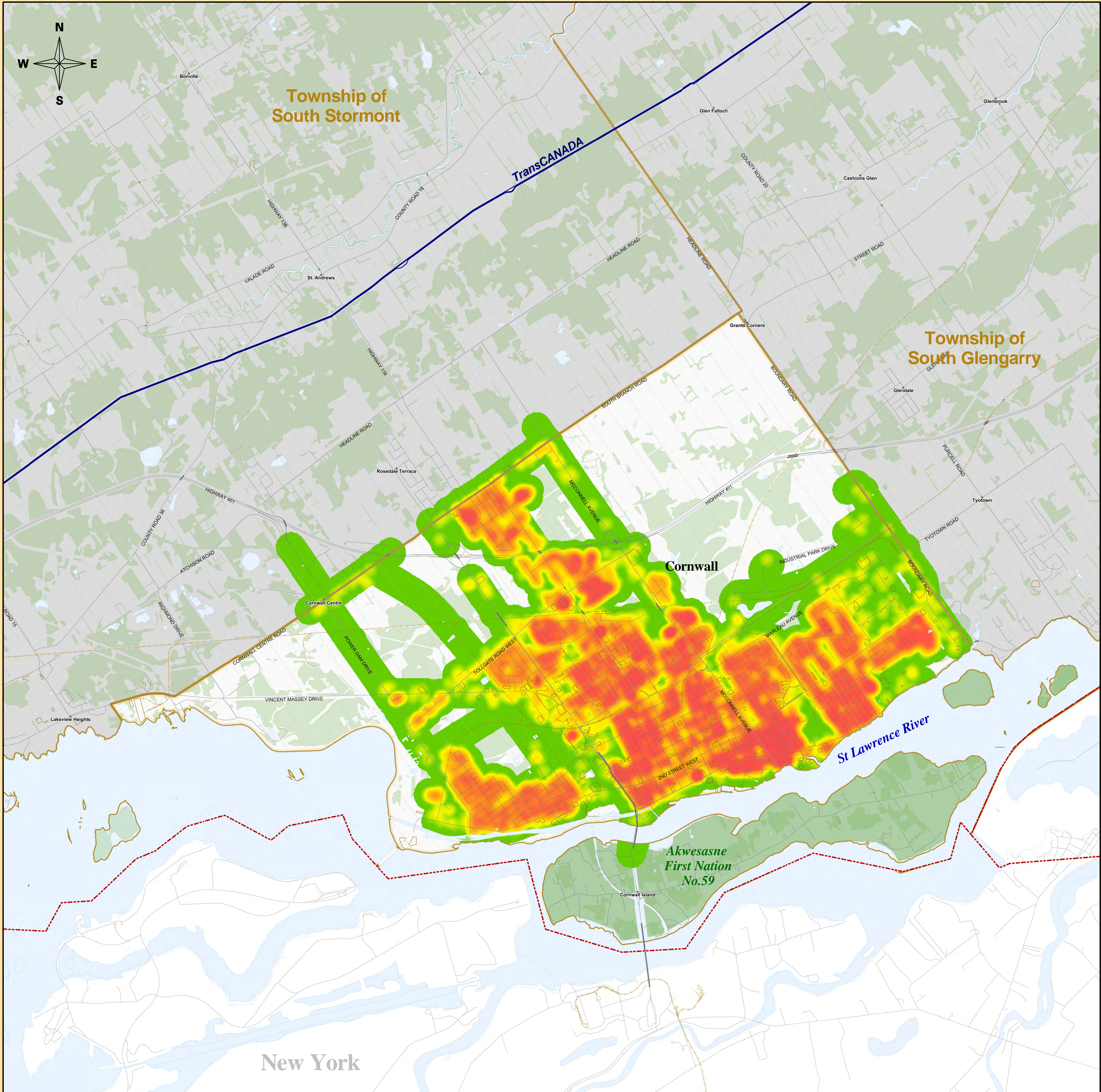
Given that Enbridge Gas already holds the CPCN rights for the lands that were annexed into the current City of Cornwall (through our CPCN for the Township of South Stormont), there is no change to the ownership of existing CPCN rights in this area.

Enbridge Gas requests that FBC 91 pertaining to the City of Cornwall be superseded through the issuing of a new CPCN that reflects the new municipal boundaries of the City of Cornwall as they are currently constituted.

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



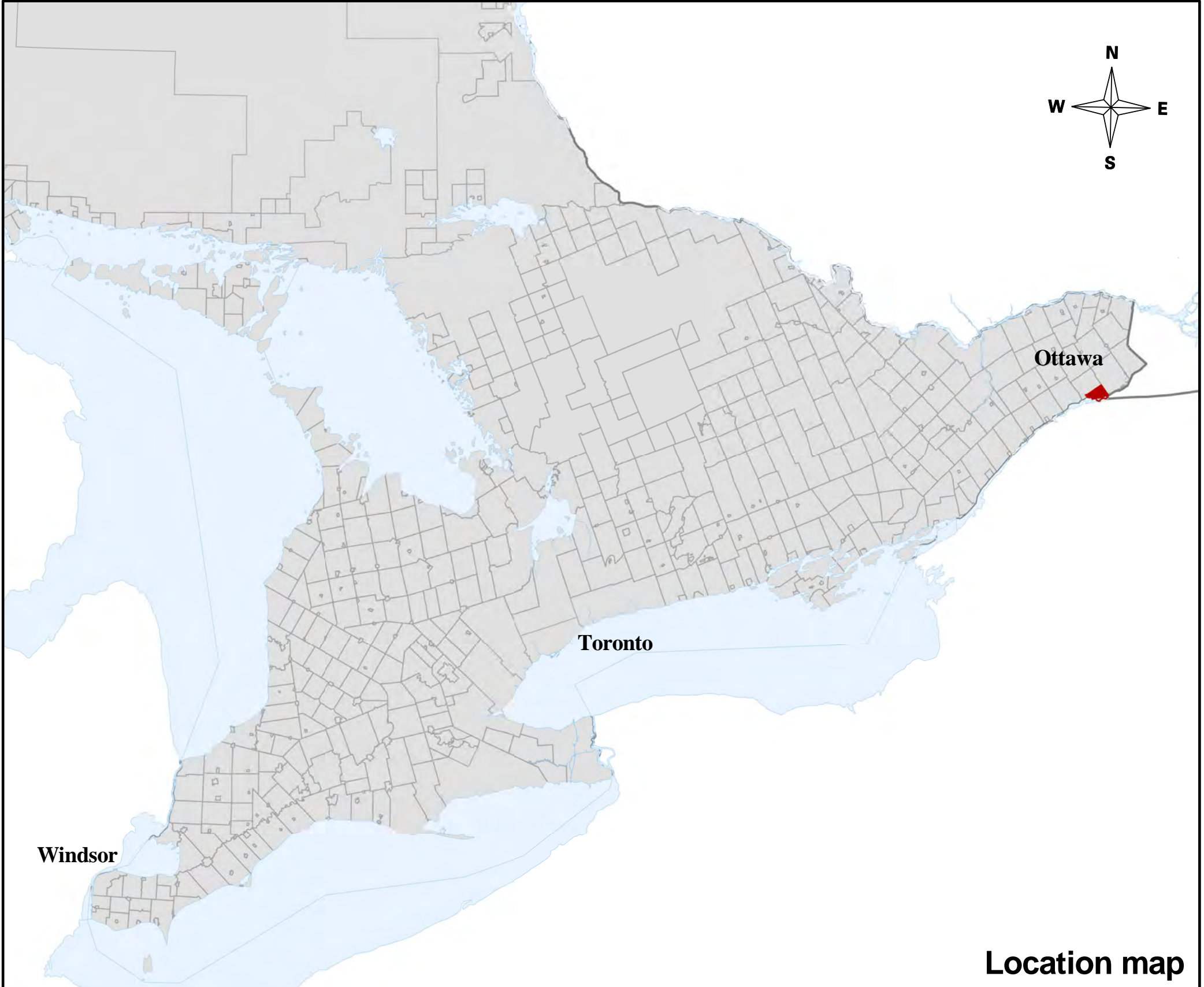
City of Cornwall

Legend

- Enbridge Gas Pipeline Coverage Area
- City of Cornwall
- Trans Canada Pipelines
- Roads
- Railways
- Municipal and Township Boundaries
- First Nation Boundaries



Disclaimer:
The map is provided with no warranty express or implied and is subject to change at any time. Any Person using the Density Map shall do so at its own Risk and the Density Map is not intended in any way As a tool to locate underground infrastructure for the purposes of excavation



ONTARIO FUEL BOARD

IN THE MATTER OF The Municipal Franchises Act,
R.S.O. 1950, Chapter 249, and amendments thereto;

AND IN THE MATTER OF an application by Lakeland
Natural Gas Limited for a certificate of Public
Convenience and Necessity to construct works and
to supply gas to the inhabitants of the City of
Cornwall.

B E F O R E:

A. R. CROZIER, Chairman)	TUESDAY, the 18th day
)	
L. R. MacTAVISH, Q.C., Commissioner)	of June, 1957.
)	
W. R. HOWARD, Commissioner)	

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

UPON THE APPLICATION OF Lakeland Natural Gas Limited (hereinafter referred to as the "Applicant") for a certificate of Public Convenience and Necessity to construct works to supply and to supply gas to the inhabitants of the City of Cornwall pursuant to the provisions of The Municipal Franchises Act, R.S.O. 1950, Chapter 249, Section 8 and amendments thereto, and at a public hearing of such application by the Board at the City of Cornwall on the 18th day of June, 1957, after due notice of such hearing had been given as directed by the Board, in the presence of counsel for the Applicant, and counsel for The Consumers' Gas Company of Toronto, and upon consideration of the evidence and exhibits produced at the hearing and upon hearing what was alleged by counsel aforesaid:

1. THIS BOARD DOTH ORDER that a Certificate of Public Convenience and Necessity be and the same is hereby granted to Lakeland Natural Gas Limited for the supply of natural gas to the inhabitants of the City of Cornwall, and for the construction of the works necessary therefor.

2. AND THIS BOARD DOETH FURTHER ORDER that the costs of this hearing are fixed at \$300.00 and shall be paid forthwith by the Applicant to the Board.

DATED at Toronto this 16th day of July, 1957.

ONTARIO FUEL BOARD

A. R. Brown
Chairman

L. R. McIntosh
Commissioner

W. R. Howard
Commissioner

EB-2013-0259

Certificate of Public Convenience and Necessity

The Ontario Energy Board hereby grants

Union Gas Limited

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

Township of South Stormont

This certificate replaces the existing certificates held by Union for the former Township of Osnabruck (F.B.C. 215), and the former Township of Cornwall (F.B.C. 226).

DATED at Toronto, August 29, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary