



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION AND ORDER

EB-2024-0061

ENBRIDGE GAS INC.

**Application for a new certificate of public convenience and necessity
for the City of Cornwall**

By Delegation, before: Theodore Antonopoulos
Vice President
Applications

March 28, 2024

1 OVERVIEW

Through this Decision and Order, the Ontario Energy Board (OEB) approves an application filed by Enbridge Gas Inc. (Enbridge Gas) for a new certificate of public convenience and necessity (certificate) for the City of Cornwall that is geographically aligned with the municipality as it is currently constituted and which will, in effect, cancel and supersede Enbridge Gas's existing certificate for the municipality.

2 CONTEXT AND PROCESS

Enbridge Gas filed an application on January 15, 2024, under section 8 of the *Municipal Franchises Act* for an Order cancelling its existing certificate for the City of Cornwall and replacing it with a new certificate to reflect the boundaries of the municipality as it is currently constituted.

The OEB held a written hearing. A notice of hearing was published in the local newspaper on February 14, 2024. The notice of hearing was also posted on Enbridge Gas's website. No persons sought to become intervenors or otherwise participate in the proceeding.

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

3 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 City of Cornwall is a municipal corporation incorporated under the laws of the Province of Ontario. It is a single-tier municipality geographically located within the municipal boundaries of the United Counties of Stormont, Dundas and Glengarry.

The City of Cornwall was incorporated as a city on January 1, 1957, following the annexation of parts of the former Township of Cornwall. On May 1, 1974, the City of Cornwall annexed additional lands from the former Township of Cornwall.

Enbridge Gas holds a certificate for the City of Cornwall, dated July 16, 1957.¹ Enbridge Gas also held a certificate for the former Township of Cornwall² which was cancelled when Enbridge Gas's certificate for the Township of South Stormont³ was granted.⁴

Enbridge Gas stated that since its City of Cornwall 1957 certificate does not make reference to "as it is currently constituted" or something similar, the lands since annexed from the former Township of Cornwall to the City of Cornwall are assumed to be covered by the 1957 certificate. Enbridge Gas filed an application to update its certificate to make it clear that current certificate rights cover the entire City of Cornwall as it is currently constituted.

¹ F.B.C. 91, dated July 16, 1957 granted to Enbridge Gas's predecessor (Lakeland Natural Gas) by the OEB's predecessor (Ontario Fuel Board).

² F.B.C. 226, dated July 16, 1958 granted to Enbridge Gas's predecessor (Lakeland Natural Gas) by the OEB's predecessor (Ontario Fuel Board).

³ EB-2013-0259, dated August 29, 2013

⁴ The Township of South Stormont was created on January 1, 1998 through the amalgamation of the former Townships of Cornwall and Osnabruk.

4 FINDINGS

I find that it is in the public interest to approve the application as filed. 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 or otherwise objected to the application.

The approach for a new certificate is reasonable given the evidence provided by Enbridge Gas regarding the coverage associated with the historical certificates for the former Township of Cornwall. I also note that granting a new certificate to Enbridge Gas for the City of Cornwall that reflects the boundaries of the municipality as it is currently constituted does not affect the certificate rights of any other gas distributor.

A new certificate, attached as Schedule A to this Decision and Order, is granted to Enbridge Gas for the City of Cornwall. This certificate cancels and supersedes F.B.C. 91.

5 ORDER

IT IS ORDERED THAT:

1. A certificate of public convenience and necessity, attached as Schedule A, is granted to Enbridge Gas Inc. to construct works or supply natural gas in the City of Cornwall. This certificate of public convenience and necessity cancels and supersedes F.B.C. 91. A map of the City of Cornwall is attached as Schedule B.
2. Enbridge Gas Inc. shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at Toronto, March 28, 2024

ONTARIO ENERGY BOARD

Theodore Antonopoulos
Vice President
Applications

SCHEDULE A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR THE CITY OF CORNWALL

ENBRIDGE GAS INC.

EB-2024-0061

MARCH 28, 2024

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

City of Cornwall

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

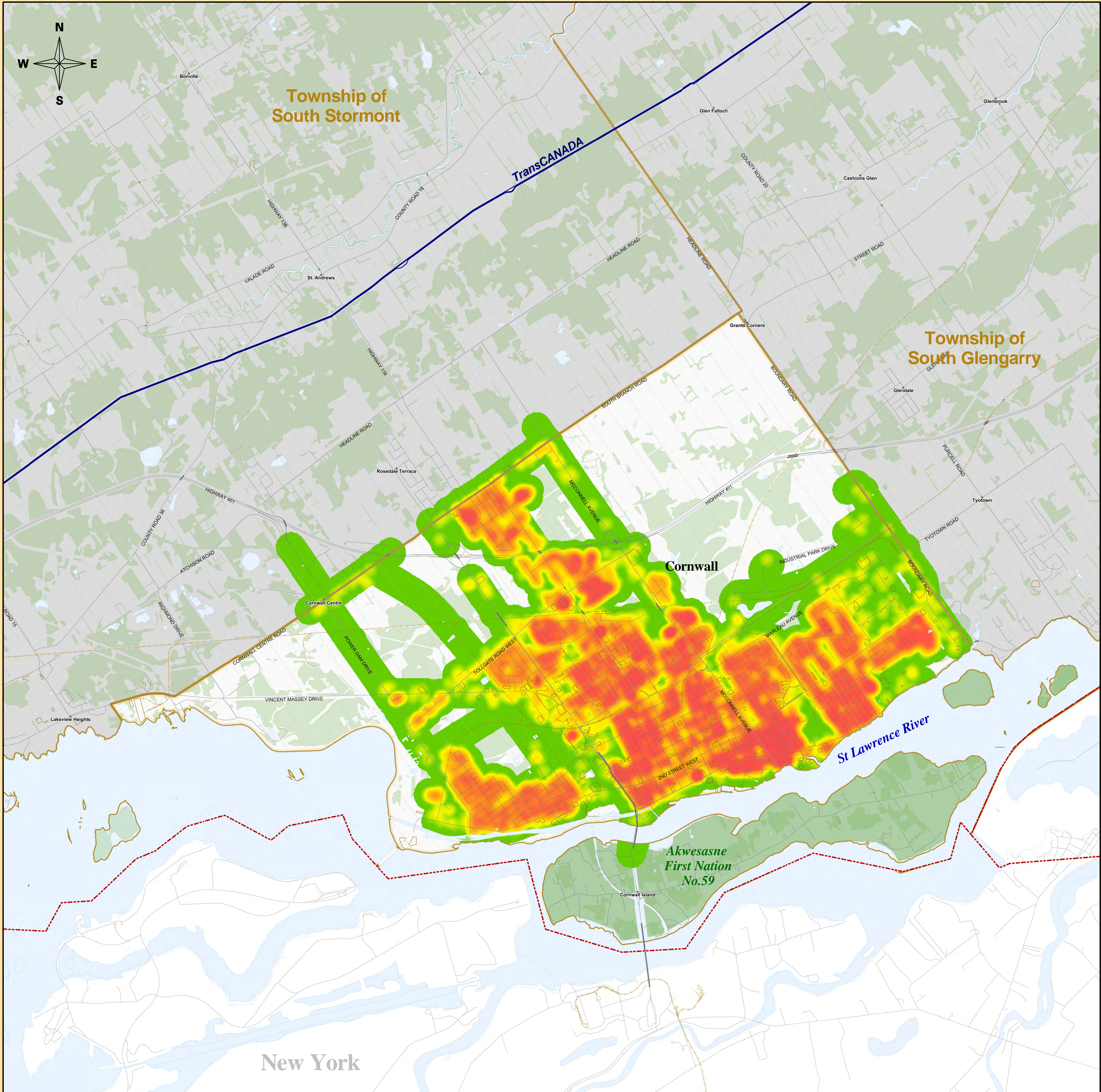
This certificate of public convenience and necessity cancels and supersedes: F.B.C. 91

DATED at Toronto, March 28, 2024

ONTARIO ENERGY BOARD

Theodore Antonopoulos
Vice President
Applications

SCHEDULE B
MAP OF THE CITY OF CORNWALL
ENBRIDGE GAS INC.
EB-2024-0061
MARCH 28, 2024



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

