

August 1, 2024

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

Dear Ms. Marconi:

**Re: Enbridge Gas Inc.
Application for Certificate of Public Convenience and Necessity
Town of Lincoln
Ontario Energy Board File No. EB-2024-0168**

Further to the questions submitted today by Ontario Energy Board Staff related to municipal references in certificates of public convenience and necessity, Enbridge Gas provides the following responses.

Staff Question-1

Reference: EB-2022-0168, Application, para 4, 6 and 9
EB-2022-0168, Application, Schedule A, C, D1, D2 and F

Preamble:

The Town of Lincoln was formed through the amalgamation of the former Town of Beamsville, the former Township of Clinton, and approximately half of the former Township of Louth. Enbridge Gas states it holds several certificates that cover the former municipalities that formed the Town of Lincoln:

- F.B.C. 81 – Certificate dated October 2, 1956 - the former Village of Beamsville
- F.B.C. 82 – Certificate dated October 2, 1956 - the former Township of Clinton
- E.B.C. 58 – Certificate dated July 25, 1967 - many municipalities including the former Township of Louth
- E.B.C. 59 – Certificate dated July 25, 1967 - the former Village of Beamsville and the former Township of Clinton

The former Village of Beamsville is referenced in the certificates noted above but not the former Town of Beamsville. Enbridge Gas has requested an order cancelling and superseding those parts of E.B.C. 59 related to the former Town of Beamsville.

Questions:

- a) Please clarify whether the former Village of Beamsville changed its name to the Town of Beamsville. If not, please discuss whether Enbridge Gas has the certificate rights for the former Town of Beamsville and if the parts of F.B.C. 81 and E.B.C. 59 that relate to the former Village of Beamsville should be cancelled and superseded if a new certificate is issued for the Town of Lincoln.
- b) Please discuss whether the reference to the former Town of Beamsville in the application preamble, paragraphs 4, 6 and 9 and the map in schedule A of the application should be to the former Village of Beamsville.

Responses:

- a) According to a Statistics Canada report (see Attachment 1), the Village of Beamsville became the Town of Beamsville in 1963.

Given that the E.B.C. 59 certificate was issued in 1967 after the former Village of Beamsville became the former Town of Beamsville, Enbridge Gas assumes that the reference in the E.B.C. 59 certificate should have been to the former Town of Beamsville that existed since 1963. For all intents and purposes, the E.B.C. 59 certificate can only apply to a municipality that existed at the time of its issue, so Enbridge Gas assumes that the E.B.C. 59 certificate applies to the former Town of Beamsville.

Enbridge Gas is not aware of any municipal boundary changes to the former Village or Town of Beamsville between 1956 (when the F.B.C. 81 certificate was issued) and 1967 (when the E.B.C. 59 certificate was issued) so Enbridge Gas has certificate rights related to all areas within the former Town of Beamsville.

To administratively clean the regulatory record, the parts of the F.B.C. 81 and E.B.C. 59 certificates that refer to the former Village of Beamsville (and are assumed to apply to the former Town of Beamsville for purposes of E.B.C. 59) could be superseded and replaced by a new certificate issued for the Town of Lincoln.

- b) Enbridge Gas believes that the references in the preamble, paragraphs 4, 6 and 9 of the Application should still refer to the former Town of Beamsville since they are intended to refer to the municipality that existed at the time the E.B.C. 59 certificate was issued and to the municipality that amalgamated with other municipalities to form the Town of Lincoln.

As noted in part a) above, given that the E.B.C. 59 certificate was issued in 1967 after the former Village of Beamsville ceased to exist when it became the Town of Beamsville in 1963, Enbridge Gas assumes that the reference in the E.B.C. 59 certificate should have been to the former Town of Beamsville since that was the municipality that existed at that time. Enbridge Gas believes that, effectively, the E.B.C. 59 certificate applied to the municipality known as the Town of Beamsville at that time. Enbridge Gas assumes that the reference to the former Village of Beamsville in the E.B.C. 59 certificate was just an administrative error by the Ontario Fuel Board.

For clarification, the application preamble / matter clause and the requested order could be updated as follows:

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an Order cancelling and superseding those parts of the E.B.C. 59 Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. that refer to the former Village of Beamsville and the former Township of Clinton (and are assumed to apply to the former Town of Beamsville for purposes of E.B.C. 59) and those parts of the E.B.C. 58 Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. related to the former Township of Louth and replacing them with a Certificate of Public Convenience and Necessity to construct works to supply natural gas in the current Town of Lincoln.

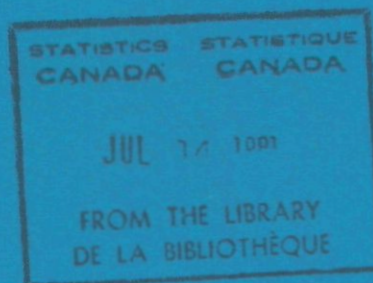
[...]

9. Enbridge Gas now applies to the Ontario Energy Board for an Order pursuant to s.8 of the *Municipal Franchises Act* cancelling and superseding those parts of the E.B.C. 59 Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. that refer to the former Village of Beamsville and the former Township of Clinton (and are assumed to apply to the former Town of Beamsville for purposes of E.B.C. 59) and those parts of the E.B.C. 58 Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. related to the former Township of Louth and replacing them with a Certificate of Public Convenience and Necessity to construct works to supply natural gas in the current Town of Lincoln.

Should you have any questions on this submission, please do not hesitate to contact me.

Yours truly,

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1971 CENSUS OF CANADA

RECENSEMENT DU CANADA 1971

Population

CENSUS SUBDIVISIONS
(HISTORICAL)

Population

TABLEAUX CHRONOLOGIQUES
(SUBDIVISIONS DE RECENSEMENT)

CASE STUDY NO 7

FOOTNOTES - Continued

Ontario - ContinuedMuskoka - Concluded

- (6) Amalgamation of Freeman and part of Unorganized as Georgian Bay Township January 1, 1971.
- (7) Amalgamation of part of Medora & Wood, Morrison, part of Muskoka, Ryde and Gravenhurst Town as Gravenhurst Town January 1, 1971.

Niagara

- (1) Previously published as Lincoln and Welland Counties.
- (2) Amalgamation of Bertie, Port Erie Town and Crystal Beach Village as Fort Erie Town. Also part of Willoughby annexed, see in 1970.
- (3) Amalgamation of Caistor, Gainsborough and Grimsby, South as Lincoln, West in 1970.
- (4) Beamsville Town (village until 1963) annexed part of Clinton in 1963; amalgamation of Clinton, remainder of Louth and Beamsville Town as Lincoln Town in 1970.
- (5) Niagara Falls City annexed Stamford in 1963; amalgamation of Niagara Falls City and Chippawa Village as Niagara Falls City in 1970; Niagara Falls City annexed parts of Crowland, Humberstone and Willoughby in 1970.
- (6) Welland City annexed parts of Crowland, Humberstone and Thorold Townships in 1970; Thorold Town annexed the remainder of Crowland and Thorold Township; Port Colborne City (town until January 1, 1966) annexed part of Humberstone in 1964 and remainder in 1970.
- (7) Amalgamation of Grimsby, North and Grimsby Town as Grimsby Town in 1970; amalgamation of Niagara Township and Niagara Town as Niagara-on-the-Lake Town in 1970.
- (8) St. Catharines City annexed part of Louth in 1970.
- (9) Amalgamation of Fonthill Village and Pelham Township as Pelham Town in 1970; Pelham Town annexed part of Thorold Township in 1970.

Nipissing

- (1) Territorial District boundaries changed (see note 4).
- (2) Airy incorporated in 1962 (from Unorganized); Temagami I.D. incorporated in 1968 (from Unorganized).
- (3) North Bay City annexed Widdifield and Ferris, West in 1968.
- (4) Two parts of Unorganized (Nipissing I.D.) added to Unorganized (Timiskaming Territorial District) in 1967 and to Lake of Bays (Muskoka District Municipality) January 1, 1971.

Norfolk

- (1) County boundaries changed (see note 2).
- (2) Tillsonburg Town (Oxford County) annexed part of Middleton April 1, 1966.
- (3) Waterford Town annexed parts of Townsend July 1, 1966 and in 1968; Delhi Town annexed part of Windham in 1962.
- (4) Port Dover Town annexed part of Woodhouse January 1, 1966; Simcoe Town annexed part of Woodhouse in 1964.

Northumberland

- (1) County boundaries changed (see note 3).
- (2) Cobourg Town annexed part of Hamilton in 1965.
- (3) Trenton Town (Hastings County) annexed parts of Murray in 1964 and 1968.

Ontario

- (1) Cannington Village annexed part of Brock in 1964; Beaverton Village annexed parts of Thorah in 1965 and January 1, 1971.
- (2) Whitby Township and Town amalgamated as Whitby Town in 1968.

Ottawa - Carleton

- (1) Previously published under Carleton County and Cumberland Township of Russell County.
- (2) Ottawa City annexed part of Vanier City August 1, 1961 (Eastview until 1969, town until 1963); Eastview Town annexed part of Ottawa City August 1, 1961.

Oxford

- (1) County boundaries altered for 1966 Census to include part of a municipality (see note 6). Population figures adjusted accordingly.
- (2) County boundaries changed, Tillsonburg Town annexed part of Middleton Township (Norfolk County) April 1, 1966.
- (3) Woodstock City annexed parts of Blandford and Oxford, East in 1964 and 1967, parts of Oxford, West and Zorra, East in 1964.
- (4) Beachville Village incorporated in 1962 (from Oxford, North and Oxford, West).
- (5) Ingersoll Town annexed part of Oxford, West in 1970.
- (6) Tavistock Village annexed parts of Zorra, East and Easthope, South (Perth County) in 1970.

Parry Sound

- (1) Nipissing Township annexed part of Unorganized in 1970.

RENVOIS - suite

Ontario - suiteMuskoka - fin

- (6) Fusion de Freeman et d'une partie de Non municipalisé pour former le township de Georgian Bay le 1^{er} janvier 1971.
- (7) Fusion d'une partie de Medora & Wood, de Morrison, d'une partie de Muskoka, de Ryde et de la ville de Gravenhurst pour former la ville de Gravenhurst le 1^{er} janvier 1971.

Niagara

- (1) Antérieurement publiée sous le nom des comtés de Lincoln et de Welland.
- (2) Fusion de Bertie, de la ville de Fort Erie et du village de Crystal Beach pour former la ville de Fort Erie; une partie de Willoughby a aussi été annexée, le tout en 1970.
- (3) Fusion de Caistor, de Gainsborough et de Grimsby, South pour former Lincoln, West en 1970.
- (4) La ville de Beamsville (village jusqu'en 1963) a annexé une partie de Clinton en 1963; fusion de Clinton, du reste de Louth et de la ville de Beamsville pour former la ville de Lincoln en 1970.
- (5) La cité de Niagara Falls a annexé Stamford en 1963; fusion de la cité de Niagara Falls et du village de Chippawa pour former la cité de Niagara Falls en 1970; la cité de Niagara Falls a annexé des parties de Crowland, d'Humberstone et de Willoughby en 1970.
- (6) La cité de Welland a annexé des parties des townships de Crowland, d'Humberstone et de Thorold en 1970; la ville de Thorold a annexé le reste de Crowland et du township de Thorold; la cité de Port Colborne (ville jusqu'au 1^{er} janvier 1966) a annexé des parties d'Humberstone en 1964 et le reste en 1970.
- (7) Fusion de Grimsby, North et de la ville de Grimsby pour former la ville de Grimsby en 1970; fusion du township de Niagara et de la ville de Niagara pour former la ville de Niagara-on-the-Lake en 1970.
- (8) La cité de St. Catharines a annexé une partie de Louth en 1970.
- (9) Fusion du village de Fonthill et du township de Pelham pour former la ville de Pelham en 1970; la ville de Pelham a annexé une partie du township de Thorold en 1970.

Nipissing

- (1) Modification des limites du district territorial (voir renvoi 4).
- (2) Airy constitué en 1962 (de Non municipalisé); Temagami I.D. constitué en 1968 (de Non municipalisé).
- (3) La cité de North Bay a annexé Widdifield et Ferris, West en 1968.
- (4) Deux parties de Non municipalisé (Nipissing I.D.) réparties entre Non municipalisé (district territorial de Timiskaming) en 1967 et Lake of Bays (municipalité de district de Muskoka) le 1^{er} janvier 1971.

Norfolk

- (1) Modification des limites du comté (voir renvoi 2).
- (2) La ville de Tillsonburg (comté d'Oxford) a annexé une partie de Middleton le 1^{er} avril 1966.
- (3) La ville de Waterford a annexé des parties de Townsend le 1^{er} juillet 1966 et en 1968; la ville de Delhi a annexé une partie de Windham en 1962.
- (4) La ville de Port Dover a annexé une partie de Woodhouse le 1^{er} janvier 1966; la ville de Simcoe a annexé une partie de Woodhouse en 1964.

Northumberland

- (1) Modification des limites du comté (voir renvoi 3).
- (2) La ville de Cobourg a annexé une partie d'Hamilton en 1965.
- (3) La ville de Trenton (comté d'Hastings) a annexé des parties de Murray en 1964 et 1968.

Ontario

- (1) Le village de Cannington a annexé une partie de Brock en 1964; le village de Beaverton a annexé des parties de Thorah en 1965 et le 1^{er} janvier 1971.
- (2) Le township et la ville de Whitby fusionnés pour former la ville de Whitby en 1968.

Ottawa - Carleton

- (1) Antérieurement publiée sous le nom de comté de Carleton et du township de Cumberland (comté de Russell).
- (2) La cité d'Ottawa a annexé une partie de la cité de Vanier le 1^{er} août 1961 (Eastview jusqu'en 1969, ville jusqu'en 1963); la ville d'Eastview a annexé une partie de la cité d'Ottawa le 1^{er} août 1961.

Oxford

- (1) Modification des limites du comté pour le recensement de 1966 de façon à inclure une partie de municipalité (voir renvoi 6). Les chiffres de population ont été ajustés en conséquence.
- (2) Modification des limites du comté, la ville de Tillsonburg a annexé une partie du township de Middleton (comté de Norfolk) le 1^{er} avril 1966.
- (3) La cité de Woodstock a annexé des parties de Blandford et d'Oxford, East en 1964 et 1967, des parties d'Oxford, West et Zorra, East en 1964.
- (4) Le village de Beachville constitué en 1962 (d'Oxford, North et d'Oxford, West).
- (5) La ville d'Ingersoll a annexé une partie d'Oxford, West en 1970.
- (6) Le village de Tavistock a annexé des parties de Zorra, East et Easthope, South (comté de Perth) en 1970.

Parry Sound

- (1) Township de Nipissing a annexé une partie de Non municipalisé en 1970.