



Ontario | Commission
Energy | de l'énergie
Board | de l'Ontario

DECISION AND ORDER

EB-2024-0184

ENBRIDGE GAS INC.

**Application for a Certificate of Public Convenience and
Necessity for the City of Welland**

By Delegation, before: Theodore Antonopoulos
Vice President
Major Applications

September 5, 2024

1 OVERVIEW

This Decision and Order of the Ontario Energy Board (OEB) approves an application filed by Enbridge Gas Inc. (Enbridge Gas) for a certificate of public convenience and necessity (certificate) for the City of Welland.

2 CONTEXT AND PROCESS

Enbridge Gas filed an application with the OEB on May 23, 2024, under section 8 of the *Municipal Franchises Act*. The application is for an order approving a new certificate of public convenience and necessity to construct works to supply natural gas in the City of Welland.

The OEB held a written hearing. A notice of hearing was published in the local newspaper on June 18, 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 Welland is a reference to the municipal corporation or its geographic 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 Welland is a municipal corporation incorporated under the laws of the Province of Ontario. It is a lower-tier municipality located in the Regional Municipality of Niagara.

The City of Welland was incorporated in 1917 and was expanded in the 1970s and 1980s through annexations of certain portions of the former Township of Crowland, the former Township of Humberstone, the former Township of Thorold, and the former Township of Pelham.

Enbridge Gas is authorized to serve the entire geographic area of the City of Welland through an existing certificate that covers operations within eighteen municipalities including the former City of Welland, the former Township of Crowland, the former Township of Humberstone, the former Township of Thorold and the former Township of Pelham.¹ As such, Enbridge Gas does not have a certificate in respect of the City of Welland that is in the name of the City, or that is aligned with its municipal boundaries.

Accordingly, Enbridge Gas requests an order of the OEB cancelling those parts of its existing certificate related to the City of Welland's legacy municipalities, and granting it a new certificate to construct works to supply natural gas in the current City of Welland.²

Enbridge Gas notes that, if the application is granted, there will be no change to its overall certificate rights in the City of Welland. Enbridge Gas further states that it is not aware of any other person holding a certificate for the City of Welland.

¹ E.B.C. 58, dated July 25, 1967 covers operations within eighteen municipalities including the former City of Welland, the former Township of Crowland, the former Township of Humberstone, the former Township of Thorold and the former Township of Pelham

² The OEB notes that Enbridge Gas has also filed applications for new certificates that will cancel and supersede its authorizations as set out in E.B.C. 58 for the City of Niagara Falls, the City of St. Catharines, the Town of Pelham, the Town of Lincoln and the Town of Niagara-on-the-Lake but that E.B.C. 58 remains in effect for the Township of Wainfleet given that there have not been any annexations or any name changes to the Township of Wainfleet since the certificate was issued

4 FINDINGS

I find that it is in the public interest to approve Enbridge Gas's application for a certificate for the City of Welland. Enbridge Gas currently serves the City of Welland through a certificate issued in the name of its various legacy municipalities. The issuance of a new certificate in the name of the City of Welland, and that is geographically aligned with its municipal borders, is consistent with the intent of the OEB that certificate holders update service areas if boundaries of their existing certificate(s) are affected by municipal amalgamations, annexations, or name changes. 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 the application.

A new certificate, attached as Schedule A to this Decision and Order, is granted to Enbridge Gas for the City of Welland. The new certificate supersedes those parts of E.B.C. 58 related to the former City of Welland and parts of the former Township of Crowland, the former Township of Humberstone, the former Township of Thorold, and the former Township of Pelham annexed to the City of Welland, which are hereby cancelled. I also note that there are no other natural gas distributors within the certificate area.

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 Welland. A current map of the City of Welland is attached as Schedule B.
2. This certificate of public convenience and necessity supersedes the following certificate rights, which are hereby cancelled:
 - Those parts of E.B.C. 58 relating to the former City of Welland and the portions of the former Township of Crowland, the former Township of Humberstone, the former Township of Thorold and the former Township of Pelham that were annexed into the City of Welland.
3. Enbridge Gas Inc. shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at September 5, 2024

ONTARIO ENERGY BOARD

Theodore Antonopoulos
Vice President
Major Applications

SCHEDULE A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
ENBRIDGE GAS INC.
EB-2024-0184
SEPTEMBER 5, 2024

EB-2024-0184

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 Welland

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

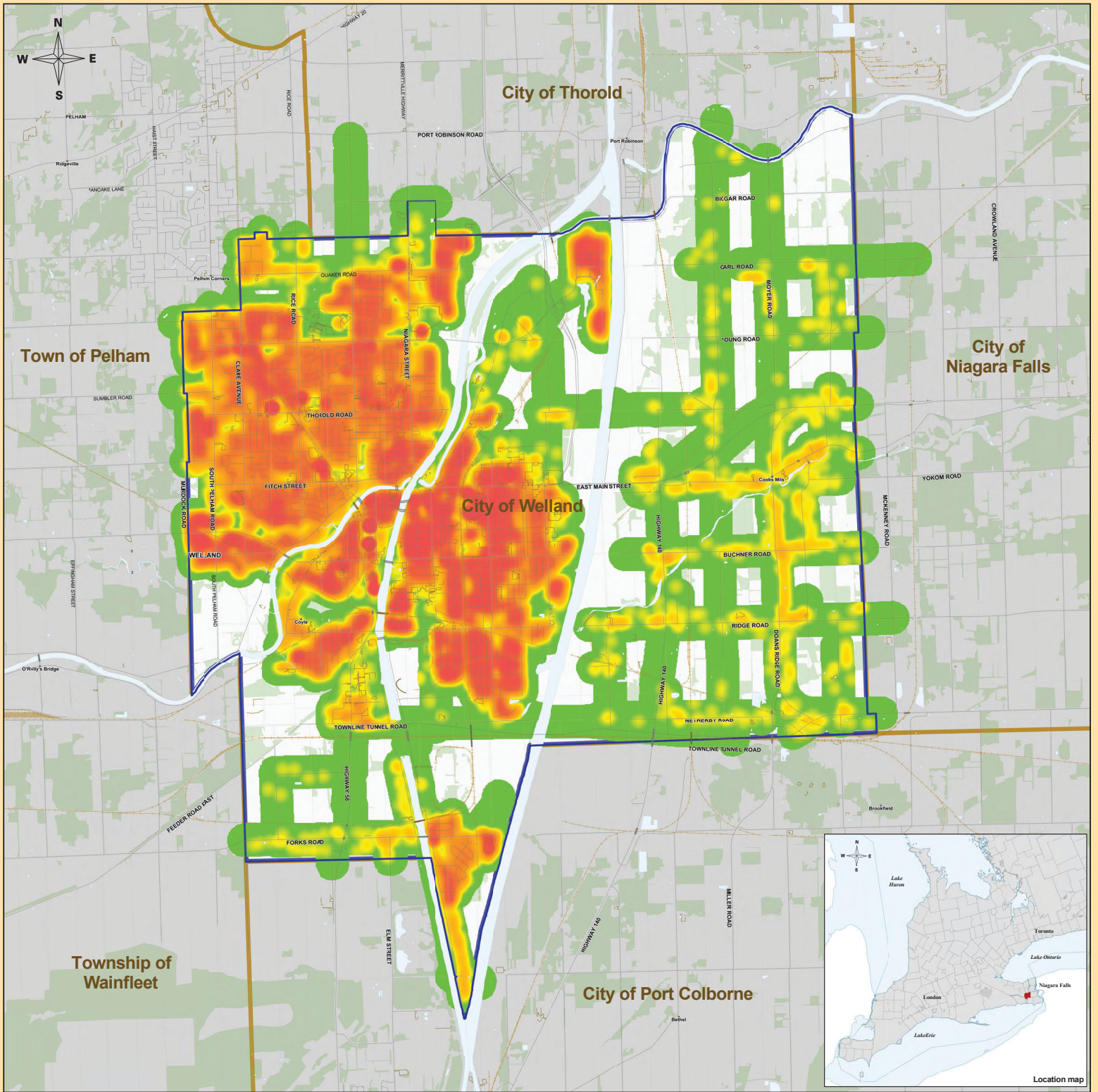
This certificate of public convenience and necessity cancels and supersedes those portions of E.B.C. 58 relating to the former City of Welland, and the parts of the former Township of Crowland, the former Township of Humberstone, the former Township of Thorold and the former Township of Pelham that were amalgamated into the City of Welland

DATED at Toronto, September 5, 2024

ONTARIO ENERGY BOARD

Theodore Antonopoulos
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SCHEDULE B
MAP OF THE CITY OF WELLAND
ENBRIDGE GAS INC.
EB-2024-0184
SEPTEMBER 5, 2024



- Legend**
- Enbridge Gas Pipeline Coverage Area
 - City of St Welland
 - Roads
 - Railways
 - Municipal and Township Boundaries
 - First Nation Boundaries



City of Welland



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

