
Intervention Form

Case Number:

EB-2024-0280

Intervenor Name:

The Corporation of the County of Simcoe (“the County”)

Mandate and Objectives:

The County is an upper tier municipality in the Province of Ontario. Its role is statutorily prescribed by the Municipal Act, 2001.

Membership of the Intervenor and Constituency Represented:

The County is located in the Central region of Ontario, to the North of the Greater Toronto Area and is comprised of 16 member municipalities: Adjala-Tosorontio, Bradford West Gwillimbury, Clearview, Collingwood, Essa, Innisfil, Oro-Medonte, Midland, Ramara, New Tecumseth, Severn, Penetanguishene, Springwater, Wasaga Beach, Tay, and Tiny. It is the largest County in Ontario, with a population of 351,929.

Programs or Activities Carried Out by the Intervenor:

The County carries out activities as prescribed under the Municipal Act, 2001. The primary activity affected by this application is County Road construction.

Governance Structure:

The County, as an upper-tier municipality, has been pre-authorized by its Council to seek amendments to the Model Franchise Agreement. The County’s representatives are employees of the County and will act from the authority granted to them by Council.

Representatives:

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Frequent Intervenor Form:

OEB Proceedings:

n/a

Issues:

The County is impacted as a signatory to the Model Franchise Agreement and as the owner of property through which Enbridge utilities are located. The County proposes 4 revisions to the Model Franchise Agreement that will be the subject of its intervention:

- Paragraph 11 (Alternative Easement) such that the County would not be responsible to share the cost of relocating gas lines if the property is no longer available to the County;
- Paragraph 12(a) (Pipeline Relocation) such that “a reasonable period of time” to complete a requested relocation of a pipeline would be defined as per the Public Service Works on Highway Act to be 60 days from the notice date;
- Paragraph 12 to add a clause to address where the road authority incurs a loss or expense by reason of the utility not taking up or relocating utility infrastructure by the date specified in a notice given, the utility company shall compensate the road authority for such loss or expense; and

- Paragraph 15(b) (Disposition of Gas System) such that where the gas company decommissions any part of its gas system in a County road allowance, the gas company shall remove the decommissioned line at the County's request.

Policy Interests:

The County represents the best interests of its residents and the amendments it seeks are to reduce expenses and increase certainty in circumstances where utilities need to be relocated or removed. In this proceeding, Enbridge seeks an order of the OEB that the County approve by by-law the Model Franchise Agreement without amendments. The County intends to make policy submissions as to why the requested order is not in the best interest of the public.

Hearings:

The County's preference is for a written hearing as it does not seek cross-examination of the Applicant or its witnesses.

Evidence:

The County is unable to answer this question at the date of submission.

Coordination with Other Intervenors:

Only another municipality could act as an intervenor with similar interest. The County does not anticipate intervention from another municipality.

Cost Awards:

No.

Language Preference:

No.