



Enbridge Gas Inc.
50 Keil Drive North
Chatham, Ontario, Canada
N7M 5M1

January 9, 2025

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 Aurora
Ontario Energy Board File No. EB-2024-0294**

Further to the questions submitted by Ontario Energy Board Staff related to areas covered by the existing certificate of public convenience and necessity, Enbridge Gas provides the following response.

Staff Question-1

Reference: Application, page 1, paras 3, 4 and 5
Application, page 2, para 7

Preamble:

In 1968, the Town of Aurora annexed parts of the former Township of Whitchurch. In 1971, the Town of Aurora annexed portions of the Township of King and additional portions of the Township of Whitchurch.

Enbridge Gas holds certificate F.B.C. 78 dated October 5, 1956 for the Town of Aurora.

Enbridge Gas has applied for an order of the OEB canceling and superseding its existing certificate of public convenience and necessity held by Enbridge Gas for the Town of Aurora and replacing it with a certificate of Public Convenience and Necessity to construct works to supply gas in the Town of Aurora as it is currently constituted.

Enbridge Gas notes that the request for the new certificate expands the geographic area currently covered by the existing certificate to include the portions of the Township of Whitchurch that were annexed to the Town of Aurora in 1968 and 1971.

Questions:

- a) Please elaborate on why the portions of the Township of Whitchurch that were annexed to the Town of Aurora in 1968 and 1971 were not part of the F.B.C. 78 certificate for the former Township of Whitchurch.
- b) Please explain the need for additional service area (i.e., the Township of Whitchurch) in the Town of Aurora. To support your response, please illustrate where Enbridge Gas has existing and planned infrastructure in the proposed additional service area. An infrastructure map is not required to be submitted.

Response:

- a) As is noted in the application and at Schedule C1, the F.B.C. 78 certificate was issued to the Consumers' Gas Company on October 5, 1956 for the Town of Aurora not the former Township of Whitchurch. The areas of the former Township of Whitchurch that were annexed into the Town of Aurora in 1968 and 1971 would have been captured under the F.B.C. 83 certificate issued to the Consumers' Gas Company on November 19, 1956 for the former Township of Whitchurch that existed at that time (see Schedule C4 in the application).

In recent years, the OEB has added “as it is constituted on the date of this Decision and Order” to describe municipalities covered by certificates. Whether or not this description is on a certificate, Enbridge Gas believes that certificates apply to areas governed by municipal boundaries that apply on the date the certificate is issued. This position is supported by the guidance in the *Natural Gas Facilities Handbook* to notify the OEB of any change to municipal boundaries in order to have certificates amended to reflect the change.

Enbridge Gas assumes that the areas of the former Township of Whitchurch that were annexed into the Town of Aurora were not part of the F.B.C. 78 certificate issued on October 5, 1956 for the Town of Aurora since the annexations took place several years later.

- b) As is illustrated by the map inserted into the legend contained in Schedule A of the application, a large portion of the east side of the current Town of Aurora was formally a part of the former Township of Whitchurch. As is shown on Schedule A, Enbridge Gas currently has extensive facilities and several customers within these annexed areas.

While Enbridge Gas does not have any current plans to extend the gas distribution system to the area in the southeast corner of the Town of Aurora that is shown in Schedule A as currently not containing Enbridge Gas facilities, much of this area is currently occupied by a golf course.

In recent CPCN Decisions¹, the OEB has noted that issuing new certificates that are geographically aligned with municipal borders “is consistent with the intent of the OEB that the certificate holders update service areas if boundaries of their existing certificate(s) are affected by municipal amalgamations, annexations or name changes”.

Given the location of the Town of Aurora in the Regional Municipality of York, Enbridge Gas is not aware of any other gas distribution companies in the area. Not having a CPCN

¹ For example, EB-2024-0259 – Decision and Order, December 3, 2024, page 4

that covers the whole Town of Aurora would unnecessarily delay responding to requests for natural gas service in currently unserved areas of the municipality.

As is noted in the Natural Gas Facilities Handbook², if a CPCN has been issued for a particular area in which there is currently no gas distribution service, another person may apply for a CPCN to serve that area. Granting a CPCN to Enbridge Gas for all of the Town of Aurora does not prevent another distributor from proposing to provide service in an unserved area, but it would avoid delays to Enbridge Gas in providing requested service caused by the need to apply for CPCN amendments.

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

² Natural Gas Facilities Handbook, page 14