



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

January 29, 2025

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

Dear Ms. Marconi:

**Re: Enbridge Gas Inc.  
Approval of Certificate of Public Convenience and Necessity  
Town of Fort Erie  
Ontario Energy Board File No. EB-2024-0285**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated January 28, 2025, enclosed is my Affidavit of Service related to the Decision and Order in regard to the above-noted proceeding.

Yours truly,

Patrick McMahon  
Technical Manager  
Regulatory Research and Records  
[patrick.mcmahon@enbridge.com](mailto:patrick.mcmahon@enbridge.com)  
(519) 436-5325

Encl.

**IN THE MATTER OF** the *Municipal Franchises Act*, R.S.O. 1990 c. M.55, as amended;

**AND IN THE MATTER OF** an Application by Enbridge Gas Inc. for an Order cancelling and superseding those parts of the E.B.C. 58 Certificate of Public Convenience and Necessity related to the former Township of Bertie and the former Village of Crystal Beach and all of the E.B.C. 58A Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. related to the former Town of Fort Erie and replacing them with a Certificate of Public Convenience and Necessity to construct works to supply natural gas in the current Town of Fort Erie.

### **AFFIDAVIT OF SERVICE**

I, Patrick McMahon, of the Municipality of Chatham-Kent, in the Province of Ontario, make oath and say as follows:

1. I am an employee in the Chatham Office of Enbridge Gas Inc., the Applicant in the matter referred to in the preamble to this my Affidavit and I have personal knowledge of the matters herein deposed to.
2. By Courier, at Chatham, Ontario, on January 29, 2025, I did cause to be sent to the Town of Fort Erie a true copy of the Decision and Order issued by the Ontario Energy Board on January 28, 2025, to the above preamble and a covering letter, attached hereto as Exhibit "A".
3. The courier bill of lading is attached hereto as Exhibit "B".
4. I make this Affidavit in good faith and for no improper purpose.

SWORN BEFORE ME, at the )  
 City of Toronto in the Province )  
 of Ontario this 29<sup>th</sup> day of )  
 January, 2025. )

\_\_\_\_\_  
 Patrick McMahon

\_\_\_\_\_  
 A Commissioner, etc.



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

Exhibit A

January 29, 2025

This is Exhibit "A" to the Affidavit of  
Patrick McMahon sworn before me  
this 29th day of January, 2025.

Peter Todd  
Manager, Legislative Services / Town Clerk  
Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, ON L2A 2S6

A Commissioner, etc.

Dear Mr. Todd:

**Re: Enbridge Gas Inc.  
Certificate of Public Convenience and Necessity - Town of Fort Erie  
Ontario Energy Board File No. EB-2024-0285**

In accordance with instructions set out by the Ontario Energy Board's Letter of Direction dated January 28, 2025, Enbridge Gas now serves upon you a copy of the Decision and Order approving the new Certificate of Public Convenience and Necessity that Enbridge Gas holds for the Town of Fort Erie.

Please contact me directly if you have any questions about the application that resulted in this Decision and Order.

Yours truly,

*[Original Signed By]*

Patrick McMahon  
Technical Manager  
Regulatory Research and Records  
[patrick.mcmahon@enbridge.com](mailto:patrick.mcmahon@enbridge.com)  
(519) 436-5325

Encl.



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

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# **DECISION AND ORDER**

## **EB-2024-0285**

### **ENBRIDGE GAS INC.**

**Application for a Certificate of Public Convenience and Necessity  
for the Town of Fort Erie**

**By Delegation, before:**      **Theodore Antonopoulos**  
   **Vice President**  
   Major Applications

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**January 28, 2025**

## 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 Town of Fort Erie.

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## 2 CONTEXT AND PROCESS

Enbridge Gas filed an application with the OEB on October 2, 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 Town of Fort Erie.

The OEB held a written hearing. A notice of hearing was published in the local newspaper between November 7 to November 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 Town of Fort Erie 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 Town of Fort Erie 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 Town of Fort Erie was incorporated in 1932. In 1970, the boundaries of the Town of Fort Erie were expanded when it was merged with the former Township of Bertie and the former Village of Crystal Beach.

Enbridge Gas is authorized to serve the entire geographic area of the Town of Fort Erie through a certificate issued July 25, 1967 and a certificate issued July 7, 1976.<sup>1</sup> Through the application, Enbridge Gas requests a new certificate to construct works to supply natural gas in the Town of Fort Erie as it is currently constituted, and which would cancel the 1976 certificate entirely and cancel the parts of the 1967 certificate relating to the former Township of Bertie, the former Village of Crystal Beach and the former Town of Fort Erie.

Enbridge Gas notes that if the application is granted there will be no change to its overall certificate rights in the Town of Fort Erie. Enbridge Gas further states that it is not aware of any other natural gas distributor holding a certificate for any part of the Town of Fort Erie.

Enbridge Gas has a franchise agreement with the Town of Fort Erie effective July 18, 2022.<sup>2</sup> Enbridge Gas also has municipal franchise agreements with, and certificates for, the City of Niagara Falls and the City of Port Colborne, each of which is immediately adjacent to the Town of Fort Erie.

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<sup>1</sup> Enbridge Gas's July 25, 1967 certificate (E.B.C. 58) relates to 18 municipalities including the former Township of Bertie, the former Village of Crystal Beach and former Town of Fort Erie, and the July 7, 1976 certificate (E.B.C. 58A) relates specifically to the Town of Fort Erie.

<sup>2</sup> EB-2022-0127

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## 4 FINDINGS

I find that it is in the public interest to approve Enbridge Gas's application for a certificate for the Town of Fort Erie. Enbridge Gas currently serves the Town of Fort Erie through certificates issued in the name of its legacy municipalities. The issuance of a new certificate in the name of the Town of Fort Erie, 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 Town of Fort Erie. The new certificate supersedes Enbridge Gas's prior certificate rights for the former Town of Fort Erie, the former Township of Bertie and the former Village of Crystal Beach. I also note that there is no other natural gas distributor 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 Town of Fort Erie. A current map of the Town of Fort Erie is attached as Schedule B.
2. This certificate of public convenience and necessity cancels and supersedes E.B.C 58A and those parts of E.B.C. 58 related to the former Township of Bertie, the former Village of Crystal Beach and the former Town of Fort Erie.
3. Enbridge Gas Inc. shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

**DATED** at Toronto January 28, 2025

### ONTARIO ENERGY BOARD

Theodore  
Antonopoulos

Digitally signed by  
Theodore Antonopoulos  
Date: 2025.01.28  
13:48:57 -05'00'

**Theodore Antonopoulos**

Vice President

Major Applications

**SCHEDULE A**  
**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**  
**ENBRIDGE GAS INC.**  
**EB-2024-0285**  
**JANUARY 28, 2025**

**EB-2024-0285**

## **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

### **Town of Fort Erie**

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

This certificate of public convenience and necessity cancels and supersedes E.B.C 58A and those parts of E.B.C. 58 related to the former Township of Bertie, former Village of Crystal Beach and former Town of Fort Erie

**DATED** at Toronto January 28, 2025

#### **ONTARIO ENERGY BOARD**

Theodore  
Antonopoulos

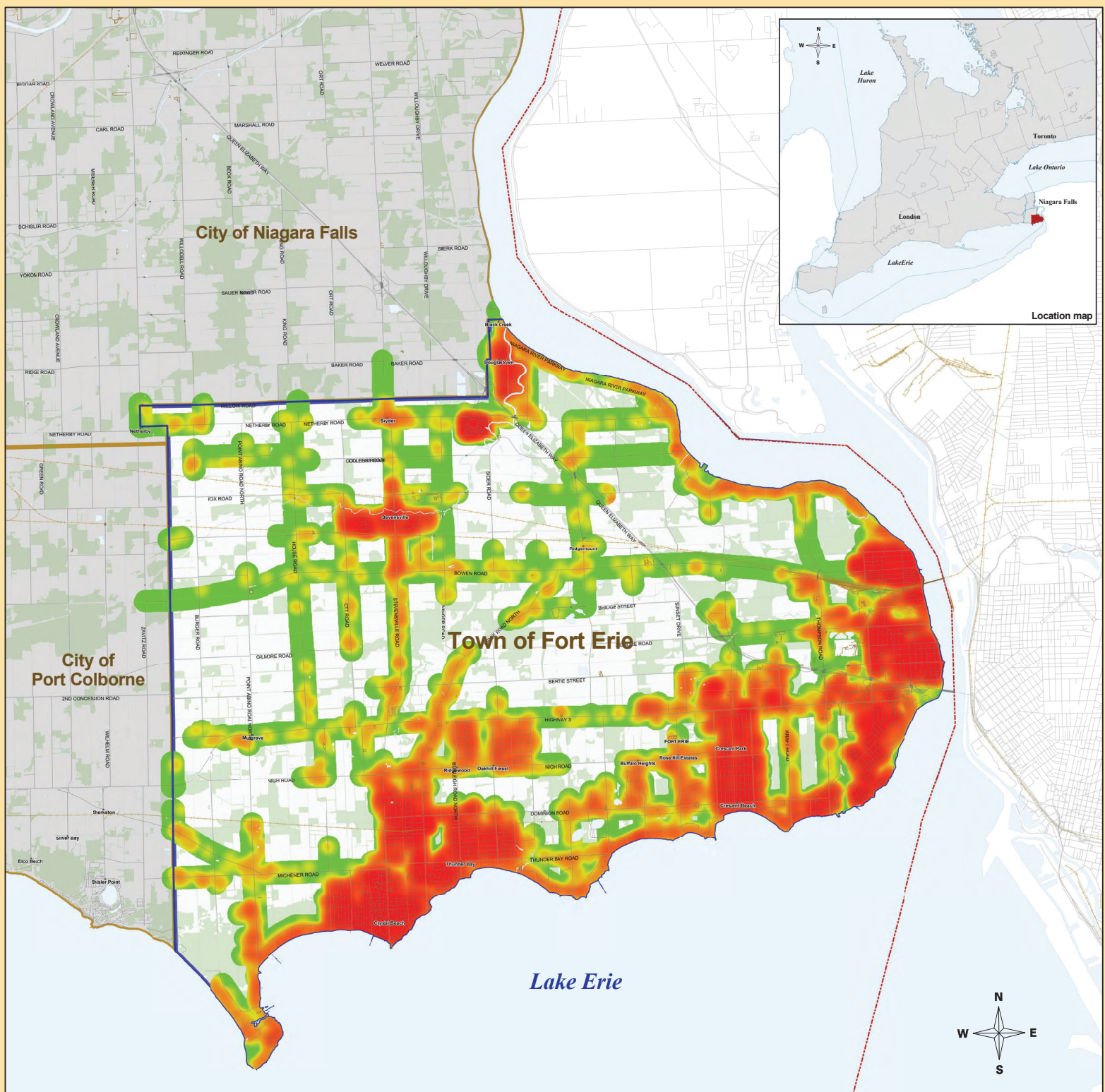
Digitally signed by  
Theodore Antonopoulos  
Date: 2025.01.28  
13:49:19 -05'00'

**Theodore Antonopoulos**

Vice President

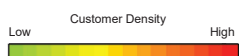
Major Applications

**SCHEDULE B**  
**MAP OF THE TOWN OF FORT ERIE**  
**ENBRIDGE GAS INC.**  
**EB-2024-0285**  
**JANUARY 28, 2025**

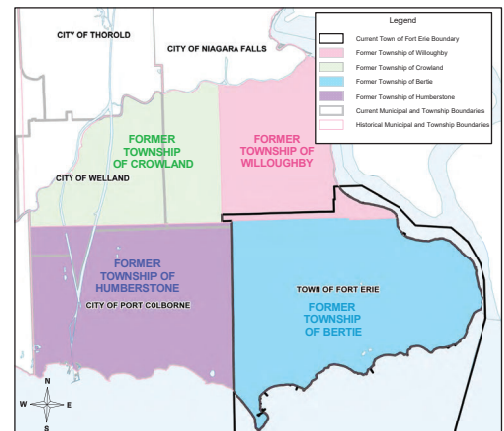


## Town of Fort Erie

- Legend**
- Enbridge Gas Pipeline Coverage Area
  - Town of Fort Erie
  - 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



Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, ON L2A 2S6

(905) 871-1600


Attention: Peter Todd  
Manager, Legislative Services / Town Clerk

This is Exhibit "B" to the Affidavit of  
Patrick McMahon sworn before me  
this 29th day of January, 2025.

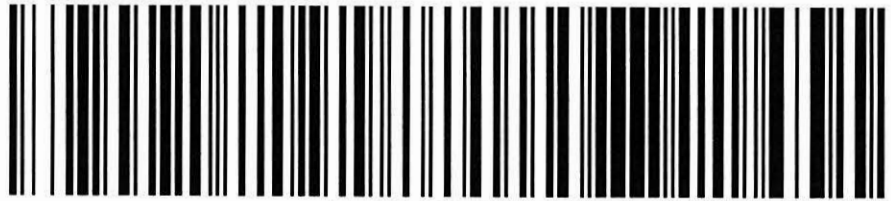
A Commissioner, etc.

1/29/25, 7:28 AM

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FROM/DE: UNION GAS 50 KEIL DR N APT/SUITE DOCK A CHATHAM, ONTARIO N7L3V9 519-436-1600  SIN: NET77152892 PIN: NET77152802 REF: P.McMAHON WGT: 1.00 LBS DWT: 0.90 LBS DIM: 1X1X1 INCHES		TO/A: TOWN OF FORT ERIE 1 MUNICIPAL CENTRE DRIVE  FORT ERIE, ON L2A2S6 905-871-1600  ATTN: PETER TODD		<b>V</b>  STANDARD TERMS AND CONDITIONS APPLY    NET77152892
INSTRUCTIONS:		GRD		
		PREPAID		

**L2A2S6**  
**THOROLD**



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