



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

February 25, 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
Township of Tay Valley
Ontario Energy Board File No. EB-2024-0342**

Pursuant to Procedural Order No. 1, Enbridge Gas hereby submits the following comments in response to the submission of the Township of Tay Valley dated February 18, 2025 on evidence it would like to submit and issues that it would like to pursue in this proceeding.

As has been stated previously, the purpose of this application is to address Enbridge Gas' current Certificate of Public Convenience and Necessity (CPCN) issued on August 25, 1960 for the former Township of Bathurst which represents approximately half the area that makes up the current Township of Tay Valley. The requested new CPCN for the Township of Tay Valley will expand the overall CPCN rights held by Enbridge Gas to include the former townships of South Sherbrooke and North Burgess (now part of the Township of Tay Valley). This is consistent with recent CPCN decisions in which the Ontario Energy Board (OEB) has noted that issuing new CPCNs 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 CPCNs are affected by municipal amalgamations, annexations or name changes¹. This position is supported by the guidance in the Natural Gas Facilities Handbook² to notify the OEB of any change to municipal boundaries in order to have CPCNs amended to reflect any change. Matching CPCN boundaries to those of the municipality also matches the consent given and granted to Enbridge Gas to distribute, store and transmit gas in and through the entire municipality pursuant to the franchise agreement executed between Enbridge Gas and the Township of Tay Valley.³

While Enbridge Gas is aware of the Township of Tay Valley's August 2020 Climate Change Action Plan and subsequent Climate Crisis Declaration, it is unclear how these policy positions of the municipality are relevant to the OEB's review of an application for a CPCN that will replace an existing CPCN and ensure that the CPCN accurately reflects the municipality's borders in a manner that is consistent with an existing franchise agreement with the municipality.

¹ For example, OEB Decisions and Orders issued in EB-2024-0294, EB-2023-0239 and EB-2023-0146.

² [Natural Gas Facilities Handbook | Ontario Energy Board](#)

³ EB-2006-0028

This application does not seek any planned expansion of the natural gas distribution system that currently exists within the Township of Tay Valley.

Regarding the references and recommendations that the Township of Tay Valley has made in its submission to the proposed evidence of Environmental Defence (ED), the OEB can reference Enbridge Gas' submission of February 14, 2025 for our position on the irrelevance of the evidence proposed by ED. As noted, it remains unclear how ED's proposed evidence is relevant to an administrative application of this nature, to ensure that the boundaries of an existing CPCN accurately reflects the result of a municipal amalgamation in an area of the province where no other gas distributor operates, in accordance with OEB direction and policy.

As is the case with the ED evidence proposal, the Township of Tay Valley is seeking to turn the simple request in this proceeding into a broader examination of more complex issues and wide-ranging questions more appropriate for a generic proceeding and that could have broad implications for Enbridge Gas and other communities and customers across Ontario.

Similarly, ED's proposed evidence relates to the financial and climate risks arising from the construction of new gas works and ED claims that Enbridge Gas is seeking approval to construct new gas works in an expanded area within the Township of Tay Valley.⁴ As noted above, this is incorrect as Enbridge Gas is not seeking to construct any works with this application.

In summary, Enbridge Gas submits that the evidence proposed by the Township of Tay Valley and ED is neither relevant nor necessary, and it will unnecessarily add to the time, scope, cost and complexity of this proceeding. In any event, the scope of the proceeding for this application should be limited to the CPCN request as described above.

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

Yours truly,

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cc: (email only)

Noelle Reeve, Township of Tay Valley
Kent Elson, Environmental Defence
Natalya Plummer, OEB
Richard Lanni, OEB

⁴ EB-2024-0342 - Environmental Defence letter dated February 20, 2025, page 4