



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

May 28, 2025

Mr. Ritchie Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Mr. Murray:

**Re: Enbridge Gas Inc.
Application for Approval of Franchise Agreement and New CPCN
City of Kingston
Ontario Energy Board File No. EB-2025-0095**

Further to the questions submitted by Ontario Energy Board Staff related to the history of the City of Kingston and service areas of utilities, Enbridge Gas provides the following responses.

Staff Question-1

Reference: Application page 1, paras 3 and 4
Application page 2, paras 5 and 7
Application, Schedule C1
Application, Schedule C2
Application, Schedule C3

Preamble:

In 1998, the former City of Kingston was amalgamated with the former Township of Kingston and the former Township of Pittsburgh to form the current City of Kingston. Enbridge Gas holds a certificate dated March 28, 1956 for the geographic area of the former Township of Kingston and another certificate dated March 28, 1956 for the geographic area of the former Township of Pittsburgh. Enbridge Gas has applied for an order of the OEB cancelling and superseding its existing certificates with a new certificate. Enbridge Gas describes its existing service area in the City of Kingston as follows:

The Former Township of Pittsburgh

Concession East of Caraquí River – Lot C-D, Lot 1 to Lot 22
First and Broken Front – Lot 1 to Lot 20
Concession 1 – Lot A to Lot E
Concession 2 – Lot 1 to Lot 38
Concession 3 – Lot 1 to Lot 38
Concession 4 – Lot 1 to Lot 38
Concession 5 – Lot 1 to Lot 38
Concession 6 – Lot 9 to Lot 38
Concession 7 – Lot 20 to Lot 38

Concession 8 – Lot 23 to Lot 38
Concession 9 – Lot 26 to Lot 38
Concession 10 – Lot 29 to Lot 38
Concession 11 – Lot 33 to Lot 38

The Former Township of Kingston

Broken Front – Gore, Lot 1 to Lot 13
Concession 1 – Gore, Lot 1 to Lot 14
Concession 2 – Mile Square Lot, Lot 1 to Lot 14, Lot 15 to Lot 17 (part)
Concession 3 – Lot 1 to Lot 17, Lot 18 to Lot 24 (part)
Concession 3 Western Division – Lot 2 to Lot 10
Concession 4 – Lot 1 to Lot 37
Concession 4 Western Division – Lot 2 to Lot 13

Questions:

- a) Please explain why Enbridge Gas has described its service area in the City of Kingston by lots when the certificates that Enbridge Gas holds for the former Township of Kingston and the former Township of Pittsburgh do not describe the boundaries of the certificates by lots.
- b) Please elaborate on whether there have been boundary changes to the geographic areas of the former Township of Pittsburgh and the former Township of Kingston since the certificates that Enbridge Gas holds were issued. If so, please discuss the need for Enbridge Gas to have additional service area in the City of Kingston. 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.
- c) Please confirm that the service area of the proposed certificate does not overlap with the service area of Utilities Kingston.
- d) Please clarify which utility serves the geographic area of the former City of Kingston (Kingston Central).
- e) Please provide an updated map that clearly defines the service areas of Enbridge Gas and Utilities Kingston in the City of Kingston.

Response:

- a) In the past, where more than one utility provides gas distribution services within a municipality, the OEB has had a practice of identifying service areas on CPCNs using lots and concessions. For example, in the EB-2017-0108 proceeding addressing CPCN boundaries in several municipalities, the OEB used lots and concessions descriptions to distinguish services areas between Enbridge Gas and EPCOR Natural Gas.¹ Similarly, in EB-2020-0232, the OEB issued new CPCNs that used lots and concessions descriptions to identify service areas of Enbridge Gas and EPCOR Natural Gas.²

In this proceeding, the existing CPCNs make reference to municipalities that no longer exist. Any request for service will be identified by a lot number. It is easier operationally to identify the utility that should address a service request when service areas are defined by lots and concessions. Given that circumstances may arise where one utility may need to expand its CPCN service area to more feasibly serve customers that might be in another utility's service area, it is easier to amend CPCNs with lots and concessions descriptions.

¹ EB-2017-0108 - Decision and Order (November 4, 2019)

² EB-2020-0232 - Decision and Order (February 11, 2021)

- b) Based on historical information we have been able to find, O. Reg. 756/88 under the *Municipal Boundary Negotiations Act, 1981* published January 7, 1989 contains a reference to a land swap between the former City of Kingston and the former Township of Kingston in which a portion of the Township of Kingston was annexed to the City of Kingston and a portion of the City of Kingston was transferred to the Township of Kingston. The original / uncorrected O. Reg. 756/88 does not appear to have been kept in the Ontario Gazette, so the only evidence of it that we have been able to find are the attached correction schedules (Attachment 1) and map (Attachment 2).
- c) Enbridge Gas does not believe that the service area of the proposed CPCN overlaps with the service area of Utilities Kingston.
- d) Gas distribution services are provided within the former City of Kingston (Kingston Central) by Utilities Kingston.
- e) Please see the attached map (Attachment 3).

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

Yours truly,

Patrick McMahon
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Regulatory Research and Records
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CORRECTION

O. Reg. 756/88 under the *Municipal Boundary Negotiations Act, 1981* published January 7th, 1989.

Schedules A and B to Ontario Regulation 756/88 as set out below should have appeared at the end of that Regulation.

Schedule A

AREA TO BE ANNEXED TO THE CITY OF KINGSTON

The portion of the Township of Kingston described as follows:

1. Beginning at the intersection of the westerly boundary of the City of Kingston and the southerly limit of King's Highway Number 401;

Thence westerly along the southerly limit of the said King's Highway 75.08 metres to a point;

Thence south $0^{\circ} 45'$ east 115.69 metres to a point on the northerly limit of the right-of-way of the Canadian Pacific Railways distant 70.25 metres measured westerly therealong from the easterly limit of Lot 18 in Concession III of the Township of Kingston;

Thence southerly crossing the said right-of-way 30.48 metres to the northwesterly angle of Part 2 as shown on a Plan deposited in the Land Registry Office for the Registry Division of Frontenac (No. 13) as Number 13 R-3611;

Thence south $0^{\circ} 42' 20''$ east along the westerly limit of the said Part 2 1370.999 metres to the northwesterly limit of the right-of-way of the Canadian National Railways;

Thence south $1^{\circ} 35' 15''$ east 43.2 metres

more or less to the northwesterly boundary of the City of Kingston;

Thence northeasterly along the boundary of the said City to the easterly limit of the said Lot 18;

Thence northerly along the easterly limit of the said Lot 18 being along the westerly boundary of the said City to the place of beginning.

2. Part of lots 19, 20, 21 and 22 in Concession III of the Township of Kingston and being parts 1, 2, 3 and 4 as shown on a Plan deposited in the Land Registry Office for the Registry Division of Frontenac (No. 13) as Number 13 R-7891. O. Reg. 756/88, Sched. A.

Schedule B

AREA TO BE ANNEXED TO THE TOWNSHIP OF KINGSTON

The portion of the City of Kingston described as follows:

Beginning at the point of intersection of a southerly boundary of the City of Kingston and the middle of the Little Cataraqui Creek the said point being 120 metres, more or less, north of the mouth of the said Creek;

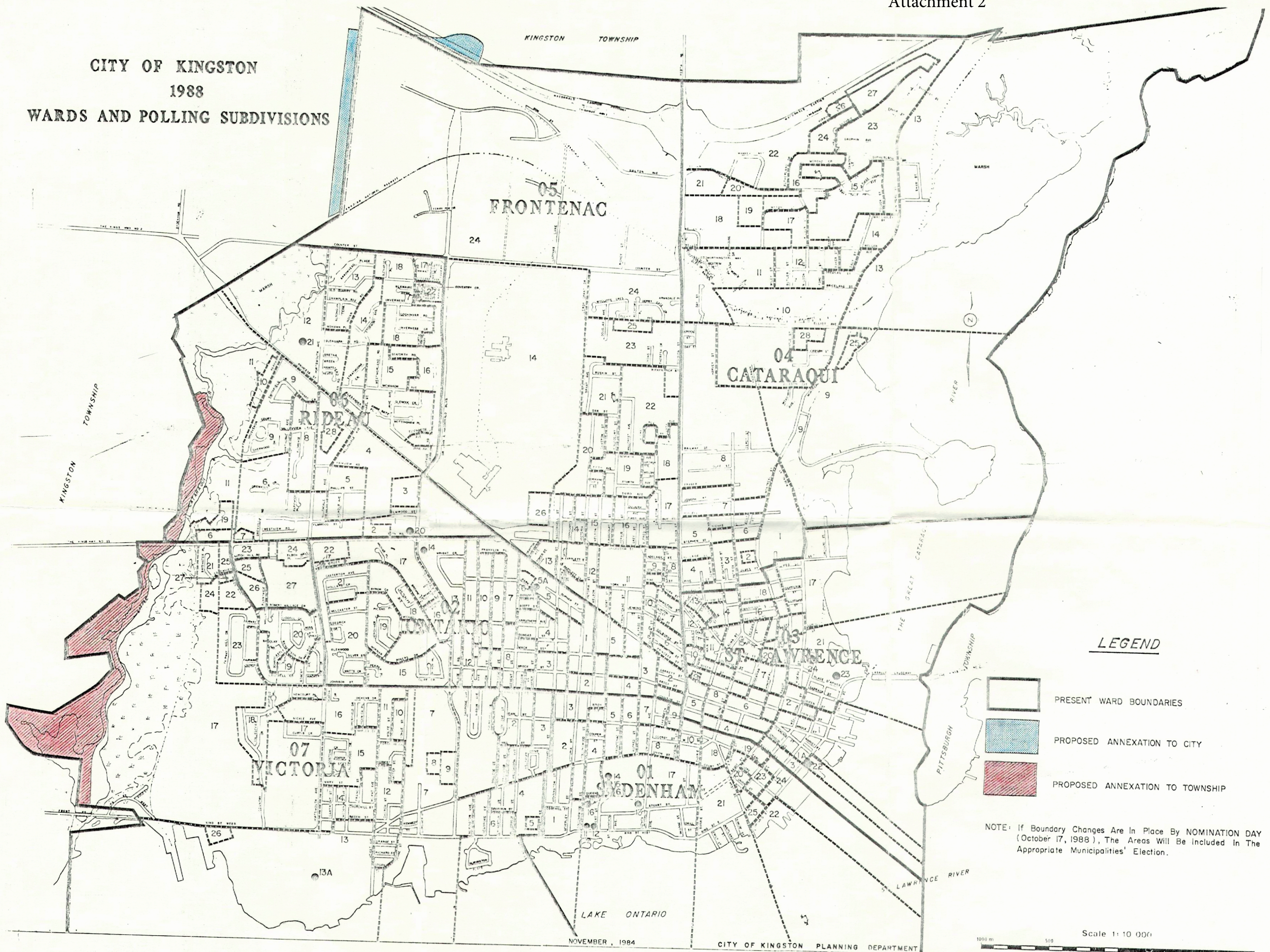
Thence northerly along the middle of the Little Cataraqui Creek and the channel west of the unnamed island south of Bath Road to a point due east of the middle of the mouth of the West Branch of the said Creek;

Thence westerly to and along the middle of the said West Branch to the westerly boundary of the said City;



Thence southerly following the boundaries between the City of Kingston and the Township of Kingston to the place of beginning. O. Reg. 756/88, Sched. B.

4/89

CITY OF KINGSTON 1988 WARDS AND POLLING SUBDIVISIONS



LEGEND

-  PRESENT WARD BOUNDARIES
-  PROPOSED ANNEXATION TO CITY
-  PROPOSED ANNEXATION TO TOWNSHIP

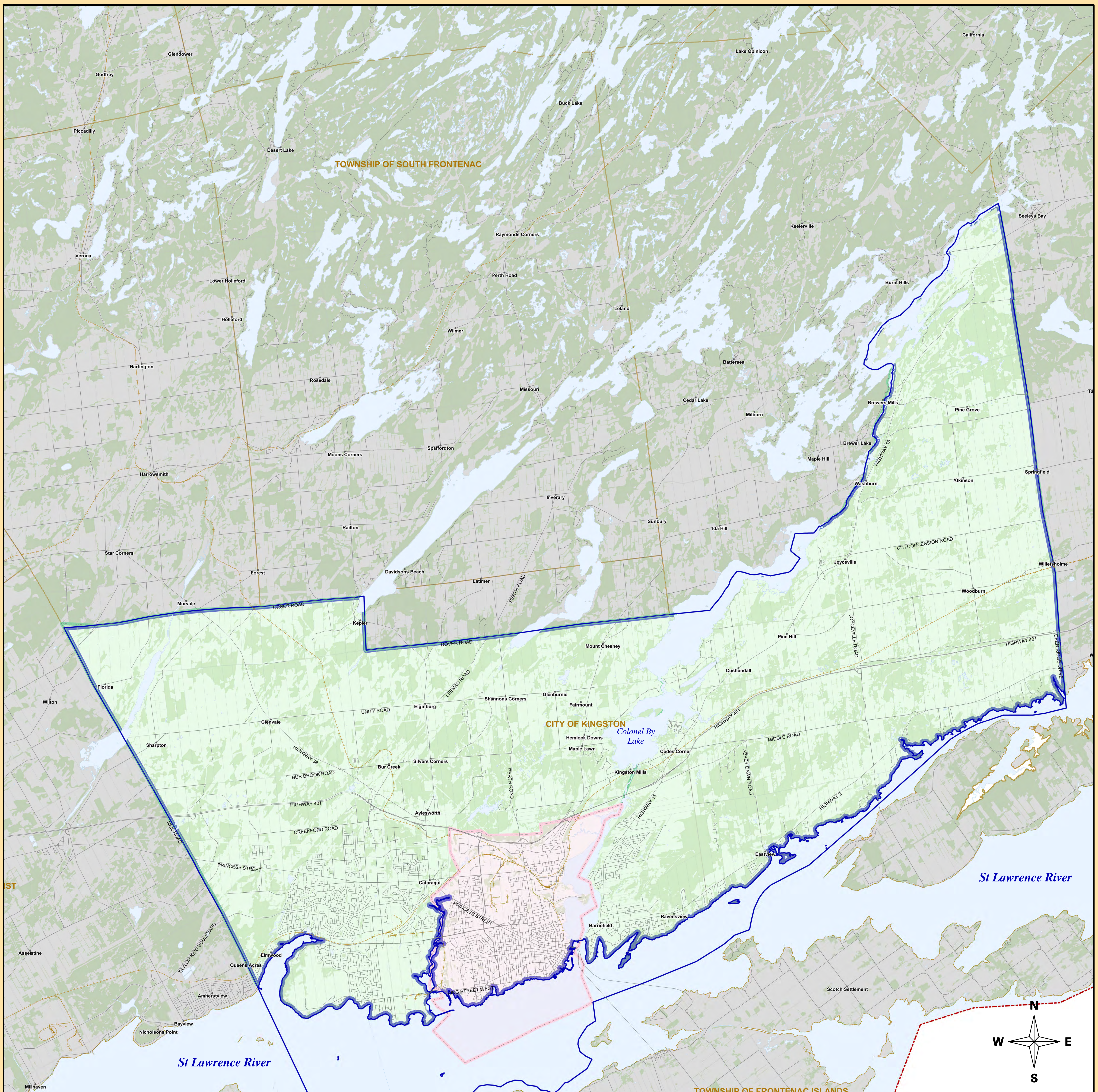
NOTE: If Boundary Changes Are In Place By NOMINATION DAY (October 17, 1988), The Areas Will Be Included In The Appropriate Municipalities' Election.

NOVEMBER, 1984

CITY OF KINGSTON PLANNING DEPARTMENT

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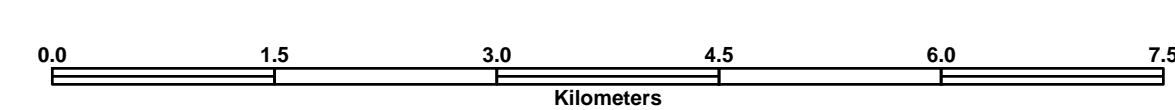
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Gas Distribution Service Areas for Utilities Kingston and Enbridge Gas in the City of Kingston

Legend

-  City of Kingston
-  Utilities Kingston Service Area
-  Enbridge Gas Service Area
-  Roads
-  Railways
-  Municipal and Township Boundaries
-  Indigenous Lands



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

