



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

DECISION AND ORDER

EB-2016-0263

ENBRIDGE GAS DISTRIBUTION INC.

Application for a Municipal Franchise Agreement with the Town of Wasaga Beach

By Delegation, before: Pascale Duguay

October 27, 2016

INTRODUCTION AND SUMMARY

Enbridge Gas Distribution Inc. (Enbridge) filed an application with the Ontario Energy Board (OEB) on August 26, 2016 under section 9 of the *Municipal Franchises Act*.

The application seeks an order of the OEB approving Enbridge's proposed municipal franchise agreement with the Town of Wasaga Beach. In this Decision and Order, a reference to the Town of Wasaga Beach is a reference to the municipal corporation or its geographical area, as the context requires.

The application is approved as described in this Decision and Order.

THE PROCESS

The OEB held a written hearing. A Notice of Hearing was published in a local newspaper on September 29, 2016. There were no intervenors.

THE APPLICATION

The Town of Wasaga Beach is a municipal corporation incorporated under the laws of the Province of Ontario.

Enbridge is a corporation incorporated under the laws of the Province of Ontario, with its head office in the City of Toronto.

Enbridge holds a municipal franchise agreement with the Town of Wasaga Beach (By-law 97-26, dated May 27, 1997) that is set to expire on May 27, 2017. Enbridge applied to the Town of Wasaga Beach for a renewal of its franchise and on August 11, 2016, the Town of Wasaga Beach gave its approval. The proposed municipal franchise agreement is in the form of the 2000 Model Franchise Agreement, with no amendments, and is for a term of twenty years. With the application, Enbridge filed the Town of Wasaga Beach's draft by-law granting the franchise renewal, and a copy of the proposed municipal franchise agreement. Enbridge also filed a copy of the Town of Wasaga Beach's resolution approving the form of the proposed municipal franchise agreement and requesting the OEB to direct and declare that the assent of the municipal electors is not necessary (Resolution passed August 11, 2016).

OEB FINDINGS

I find that it is in the public interest to grant the application. Enbridge filed a complete application and provided notice of the hearing in the manner instructed by the OEB. I note that no party intervened to object to, or comment on, the application. The proposed municipal franchise agreement is in the form of the 2000 Model Franchise Agreement, with no amendments, and is for a term of twenty years.

IT IS ORDERED THAT:

1. The terms and conditions upon which, and the period for which, the Town of Wasaga Beach is, by by-law, to grant to Enbridge Gas Distribution Inc. the right to construct and operate works for the distribution, transmission and storage of gas, and the right to extend or add to the works, in the municipality, as set out in the municipal franchise agreement attached as Schedule A, are approved.
2. The assent of the municipal electors to the by-law is not necessary.
3. Enbridge Gas Distribution Inc. shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at Toronto, October 27, 2016

ONTARIO ENERGY BOARD

Original Signed By

Pascale Duguay
Manager, Application Policy and Climate Change

SCHEDULE A

EB-2016-0263

DATED: October 27, 2016

Franchise Agreement