



**EB-2010-0189**

**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 Distribution Inc. for an order cancelling the existing Certificates of Public Convenience and Necessity associated with the former Village of Streetsville and the City of Mississauga and replacing them with a Certificate of Public Convenience and Necessity for the geographic boundaries of the Municipality of the City of Mississauga, excluding the annexed Milton lands.

**By delegation, before:** Neil Mckay

## **DECISION AND ORDER**

Enbridge Gas Distribution Inc. (the "Applicant") filed an application dated May 12, 2010 with the Ontario Energy Board (the "Board") under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the "Act"), for an order of the Board cancelling the existing Certificates of Public Convenience and Necessity associated with the former Village of Streetsville and the City of Mississauga and replacing them with a single Certificate of Public Convenience and Necessity for the geographic boundaries of the City of Mississauga (the "City"), excluding the annexed Milton lands (the "Certificate").

The Board has assigned File No. EB-2010-0189 to this Application. The Board's Notice of Application and Written Hearing was published as directed by the Board. Board staff and Union Gas Limited filed submissions.

The Applicant stated that on January 1, 2010, under an order to *The Municipal Act, 2001*, S.O. 2001, c. 25, certain lands in the Town of Milton were annexed to the City of Mississauga and the Regional Municipality of Peel. The Applicant noted that Union

holds a Franchise Agreement and Certificate of Public Convenience and Necessity for the Town of Milton, including these annexed lands. Therefore, the Certificate requested is for the geographic region of the City, excluding the annexed lands which fall within Union's service area.

The Board finds that it is in the public interest to grant the application and that public convenience and necessity requires that approval be given.

**IT IS THEREFORE ORDERED THAT:**

1. The existing Certificates of Public Convenience and Necessity associated with the former Village of Streetsville and the City of Mississauga are cancelled and replaced by the certificate attached as Appendix A to this Decision and Order.
2. A Certificate of Public Convenience and Necessity, attached as Appendix A to this Decision and Order, is granted to Enbridge Gas Distribution Inc. to construct works to supply gas in the geographic boundaries of the City of Mississauga, excluding the annexed Milton lands described in Schedule A to the Certificate of Public Convenience and Necessity.

**DATED** at Toronto, July 8, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Neil Mckay  
Manager, Natural Gas Applications

**APPENDIX A**

**TO BOARD DECISION AND ORDER**

**EB-2010-0189**

**DATED: July 8, 2010**

**Certificate of Public Convenience and Necessity for  
the City of Mississauga**

**EB-2010-0189**

## **Certificate of Public Convenience and Necessity**

The Ontario Energy Board hereby grants

### **Enbridge Gas Distribution Inc.**

approval under section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended, to construct works to supply gas in the geographic boundaries of the

### **City of Mississauga**

exclusive of the annexed Milton lands described in Schedule A.

This certificate replaces the Certificates of Public Convenience and Necessity currently held by Enbridge Gas Distribution Inc. associated with the former Village of Streetsville and the City of Mississauga.

**DATED** at Toronto, July 8, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Neil Mckay  
Manager, Natural Gas Applications

## **SCHEDULE "A"**

### **Lands Annexed to the City of Mississauga from the Town of Milton on January 1, 2010**

In the Town of Milton, Regional Municipality of Halton (originally the Geographic Township of Trafalgar) being composed of Part of Lots 5 and 6, Concession 2, North of Dundas Street and Part of the original Township Road Allowance between Lots 5 and 6, North of Dundas Street and Part of the original Township Road Allowance between Lots 5 and 6, North of Dundas Street closed by Bylaw 105-2009, Instrument Number HR731808 and Part of the original Township Road Allowance between Concession 2, North of Dundas Street and Lot 1, Concession 2 New Survey and Part of Lots 1 to 14 both inclusive, Concession 9, New Survey and Part of the Township Road Allowance between Concessions 9 and 10, New Survey and Part of Lots 1 to 5 both inclusive, Registered Plan 162, described as follows:

#### **FIRSTLY:**

Commencing at a point where the centreline of Highway 401 is intersected by the existing westerly limit, as it existed on December 31, 2009, of the City of Mississauga;

Thence southerly along the existing westerly limit of the City of Mississauga (being the east limit of the road allowance for Ninth Line in the said New Survey), 8,610 metres more or less, to the point where the said City limit intersects northerly limit of Lower Base Line Road also being the most northerly corner of Part 1, Plan 20R-18446;

Thence westerly along the northerly limit of Lower Base Line Road also being the northerly limit of Plan 20R-18446, 239 metres more or less to a point intersected by the centreline of Highway 407 also being the most westerly corner of Part 1, Plan 20R-18446;

Thence northerly along the centreline of Highway 407, 8,660 metres more or less, to a point where the centreline of Highway 407 intersects the centreline of Highway 401;

Thence easterly along the centreline of Highway 401, 280 metres more or less, to the point of commencement.

#### **SECONDLY:**

Part of the Township Road Allowance between Concession 2, North of Dundas Street and Lot 1, Concession 9, New Survey (Geographic Township of Trafalgar) more particularly described as Part 1, Plan 20R-18446.

#### **THIRDLY:**

Part of Lot 1, Registered Plan 162, more particularly described as Parts 2 and 3, Plan 20R-18446.

**FOURTHLY:**

Part of the Township Road Allowance between Lots 5 and 6, Concession 2, North of Dundas Street (Geographic Township of Trafalgar), more particularly described as Parts 4 and 11 Plan 20R-18446 and that part of the Township Road Allowance between Lots 5 and 6 North of Dundas Street closed by By-law 105-2009, Instrument Number HR731808, more particularly described as Part 10 Plan 20R-18446;

**FIFTHLY:**

Part of Lots 2, 3, and 4, Registered Plan 162, more particularly described as Part 6, Plan 20R-18446.

**SIXTHLY:**

Part of Lot 5, Registered Plan 162, more particularly described as Part 7, Plan 20R-18446.

**SEVENTHLY:**

Part of Lot 6, Concession 2, North of Dundas Street (Geographic Township of Trafalgar), more particularly described as Parts 8 and 9, Plan 20R-18446.

**EIGHTHLY:**

Part of Lot 5, Concession 2, North of Dundas Street (Geographic Township of Trafalgar), more particularly described as Part 5, Plan 20R-18446.