



Enbridge Gas Inc.

**Application for approval of a Municipal Franchise
Agreement with the County of Essex**

PROCEDURAL ORDER NO. 4

November 25, 2022

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on July 13, 2022, seeking orders under sections 9(4) and 10 of the *Municipal Franchises Act* for approval of a natural gas franchise agreement with the County of Essex (County).

Procedural Order No. 3 established dates for the filing of intervenor evidence, reply evidence and interrogatories on the intervenor and reply evidence. On November 14, 2022, the County filed its intervenor evidence. Enbridge Gas did not file reply evidence.

The OEB has set out dates for interrogatories on intervenor evidence and responses to the interrogatories below. These dates are unchanged from Procedural Order No. 3. The OEB has eliminated the procedural steps related to interrogatories on Enbridge Gas's reply evidence as no reply evidence was filed.

In addition, the OEB has decided to hear oral argument in this proceeding. Oral argument will be beneficial to the panel of Commissioners as it will allow the Commissioners to ask questions with respect to any argument made. The oral argument day will include the opportunity for an argument-in-chief from Enbridge Gas, oral submissions from OEB staff and the County, and reply argument from Enbridge Gas. The oral argument day will be held virtually over 1-day, will be transcribed, and will replace written submissions in this proceeding. It is intended that this oral argument day will complete the record for the proceeding.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Enbridge Gas and OEB staff shall request any relevant information and documentation from the County that is in addition to its filed evidence, by written interrogatories filed with the OEB and served on all parties by **November 30, 2022**.
2. The County shall file with the OEB complete written responses to all interrogatories and deliver those responses to all parties by **December 13, 2022**.
3. A transcribed oral argument day will be convened on **February 8, 2023**. Information on how to participate in the hearing will be communicated at a later date.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2022-0207** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Natalya Plummer at Natalya.Plummer@oeb.ca and OEB Counsel, Richard Lanni at Richard.Lanni@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **November 25, 2022**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar