

October 3, 2024

Ms. Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Enbridge Gas Inc.  
Application for Renewal of Franchise Agreement  
County of Lennox and Addington  
Ontario Energy Board File No. EB-2024-0134**

Enbridge Gas submits the following comments on the letter dated October 1, 2024 from Mr. Elson on behalf of the Concerned Residents (CR) regarding their proposed evidence.

Procedural Order No. 2 in this proceeding restricted the scope to those issues which relate to the “circumstances specific to the County [of Lennox and Addington]”. The OEB’s *Natural Gas Facilities Handbook* directs that franchise agreements be based on the model franchise agreement unless there are compelling reasons to deviate from it.<sup>1</sup> For the reasons that follow, Enbridge Gas submits that CR has failed to demonstrate that its evidence is either within scope or could plausibly lead to a change to the Model Franchise Agreement.

CR admits that its proposed evidence is not unique to the County of Lennox and Addington. This admission, while revealing in its own right, fails to capture the true nature of the intended evidence. CR’s proposed evidence is explicitly going to be about *other* municipalities and *other* jurisdictions. In fact, there is nothing in CR’s submission that indicates that any of the proposed evidence will even discuss circumstances specific to the County of Lennox and Addington, as it instead appears the focus will be beyond the County’s borders.

Moreover, CR’s justification for its proposed evidence relates to the hypothetical repeal of O. Reg. 584/06.<sup>2</sup> This hypothetical is not only plainly speculative, and is therefore premature, but it further demonstrates how CR is seeking to expand the scope of this proceeding to a realm that is more akin to a generic hearing. Any potential repeal of O. Reg. 584/06 would, even if actualized, necessarily have the same implications (whatever those may be) for all municipalities that are subject to the Model Franchise Agreement. CR has not identified any “specific circumstances” of the County of Lennox and Addington that relate to the implications of this hypothetical repeal which, of course, may never come to pass in any event.

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<sup>1</sup> Natural Gas Facilities Handbook, page 11

<sup>2</sup> CR’s submissions incorrectly refer to “O. Reg. 548/06”.

Similarly, and as was outlined in our submission dated August 8, 2024, it is unclear who exactly constitutes CR and how they represent any significant portion of the residents of the County of Lennox and Addington. This further reinforces the apparent disconnect between CR's position in this proceeding and the specific circumstances of the County of Lennox and Addington.

Enbridge Gas does not believe that CR has raised anything compelling and unique that warrants the OEB allowing gas ratepayer subsidization of CR's participation in this proceeding or preparation and submission of evidence. Rather, CR's proposed evidence, along with its justification for that evidence, is out of scope, generic and premature.

For these reasons, Enbridge Gas submits that the OEB should decline CR's request to file its proposed evidence.

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

Yours truly,

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