



Enbridge Gas Inc.

**Application for the renewal of a Municipal Franchise
Agreement with the Town of Essex**

**PROCEDURAL ORDER NO. 1
February 27, 2025**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on December 9, 2024, for orders under sections 9(4) and 10 of the *Municipal Franchises Act, 1990*, granting a franchise renewal with the Town of Essex (Town), based on the terms of the OEB's model franchise agreement (Model).

A Notice of Hearing was issued on January 15, 2025. Interventions closed on February 3, 2025. No persons sought to become intervenors in the proceeding.

The Town filed a letter of comment on February 3, 2025, requesting changes to several of the terms and conditions of the proposed franchise renewal, specifically, paragraphs 12, 15, 18 and 21 of the Model. The Town submitted that the changes are for the purposes of clarification, updating wording to reflect current titles and other amendments.

Enbridge Gas filed a letter in response to the Town on February 21, 2025, in which it stated that the proposed amendments address more than just phrasing or updating titles and that the proposed changes “shift the responsibility for costs associated with removing decommissioned pipe to all ratepayers and ignore OEB and court rulings with respect to the provisions of the franchise agreement taking preference over the provisions of the Drainage Act.”

Interrogatories and Submissions

Provision is being made for written interrogatories and submissions. Parties should not engage in detailed exploration of items that do not appear to be material. Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB, **March 6, 2025**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories by, **March 13, 2025**.
3. Any written submissions from OEB staff, shall be filed with the OEB by, **March 25, 2025**.
4. Any written reply submissions from Enbridge Gas shall be filed with the OEB by, **April 1, 2025**.

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-2024-0351** 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, February 27, 2025

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar