



Enbridge Gas Inc.

**Application for the renewal of a Municipal Franchise
Agreement with, and a certificate of public convenience
and necessity for, the City of Guelph**

**PROCEDURAL ORDER NO. 1
March 13, 2025**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on January 6, 2025, for orders under sections 8 and 10 of the *Municipal Franchises Act*, granting it a certificate of public convenience (certificate) for the City of Guelph, and approving the terms and conditions of the renewal of its franchise agreement with the City.

On January 30, 2025, the OEB issued a Notice of Hearing. Interventions closed on February 24, 2025.

On February 24, 2025, the City of Guelph applied for intervenor status. In its intervention request, the City of Guelph stated that it “is impacted as a signatory to the Model Franchise Agreement and as the owner of property on, under and through which Enbridge utilities are and may be located.” The City also stated that it is seeking amendments to certain terms and conditions in the Model Franchise Agreement. Enbridge Gas did not object to the City’s intervention request.

On February 24, 2025, eMERGE Guelph Sustainability (eMERGE Guelph) applied for intervenor status and cost eligibility. eMERGE Guelph stated that it has operated in Guelph since 2014 to fight climate change through advocacy, programs, and policy development. eMERGE Guelph also stated that it works with local government to advance the City’s stated goal of achieving net-zero emissions for the community by 2050. eMERGE Guelph stated that its supporters include many municipal taxpayers that will be financially impacted by the proposed franchise agreement renewal.

On February 28, 2025, Enbridge Gas filed a letter in response to eMERGE Guelph’s intervention request, urging the OEB to reject eMERGE Guelph’s request for intervenor status. Enbridge Gas argued that it is unclear that eMERGE Guelph has any substantial interest in this proceeding and that there is no indication that eMERGE Guelph has

authority to speak for the City of Guelph or its residents. Enbridge Gas argued that it is not appropriate for prospective intervenors to seek to turn a proceeding into a “test case” where there is no demonstrable link between the intervenor and the impacted community.

On March 5, 2025, eMERGE Guelph responded to Enbridge Gas’s letter, providing additional information about its interest in the proceeding and arguing that Enbridge Gas’s objections are baseless and should be rejected by the OEB.

In early March 2025, several hundred Letters of Comment were filed requesting that the OEB allow eMERGE Guelph to participate in the proceeding and indicating that eMERGE Guelph is representing their interests as City of Guelph residents.

On March 12, 2025, Enbridge Gas filed a letter in response to the Letters of Comment. Enbridge Gas reiterated its view that the OEB should not allow eMERGE Guelph to intervene. Enbridge Gas submitted that “the Letters of Comment that have been submitted to date do little to remedy eMERGE Guelph’s lack of substantial interest in issues in-scope of this review of a franchise.” Enbridge Gas identified what it characterized as “peculiarities” in the letters, which Enbridge Gas submitted call into question the weight that can be assigned to them.

Rule 22.02 of the OEB’s [Rules of Practice and Procedure](#) provides that a person has a substantial interest if they have a material interest that is within the scope of the proceeding, including a person that:

- i. Primarily represents the direct interest of consumers.
- ii. Primarily represents an interest or policy perspective relevant to the OEB’s mandate and to the proceeding.
- iii. Has an interest in land that is affected by the proceeding.

The OEB finds that the Letters of Comment, the majority of which were provided by City of Guelph residents, confirm that eMERGE Guelph does represent the interests of certain local residents in this proceeding. The OEB is therefore satisfied that eMERGE Guelph has a substantial interest in the outcome of this proceeding and accepts eMERGE Guelph as an intervenor. eMERGE Guelph is also eligible to apply for an award of costs under the OEB’s [Practice Direction on Cost Awards](#).

The City of Guelph is also approved as an intervenor in this proceeding.

Both the City of Guelph and eMERGE Guelph are reminded that this is not a generic hearing. The scope of this proceeding will be focused on the OEB's consideration of Enbridge Gas's request for a new certificate for the City of Guelph, and Enbridge Gas's request for the renewal of its franchise agreement with the City based on the terms and conditions of the Model Franchise Agreement. This proceeding will consider the views of the City and local residents as to whether there are compelling reasons to deviate from the terms and conditions of the Model Franchise Agreement in this City. Broad issues that may have implications for communities and natural gas consumers across Ontario, which are not specific to the City of Guelph, will not be within the scope of this proceeding.

The OEB is separately considering whether there is a need for a review of generic issues related to the Model Franchise Agreement, and if so, the scope and appropriate timing of any such review.

Interrogatories

At this time, provision is being made for written interrogatories. In preparing their interrogatories, parties should refer to Chapter 2 (Municipal Franchise Agreement) and Chapter 3 (Certificate of Public Convenience and Necessity) of the OEB's [Natural Gas Facilities Handbook](#). 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.

The OEB is making provision for the following related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. OEB staff and intervenors 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 and served on all parties by, **March 28, 2025**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on intervenors by, **April 11, 2025**.

3. Intervenor shall file a letter indicating whether they intend to file evidence with the OEB and copy all parties by **April 17, 2025**. If Intervenor intend to file evidence, then they shall include in their letters a detailed description of the evidence they intend to file.
4. Any party wishing to file a submission on the relevance of any evidence proposed by intervenors, shall file its written submission with the OEB by **April 24, 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, **March 13, 2025**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A
LIST OF APPLICANT AND INTERVENORS
PROCEDURAL ORDER NO. 1
ENBRIDGE GAS INC.
EB-2025-0058
DATED: MARCH 13, 2025

Enbridge Gas Inc.
EB-2025-0058
APPLICANT & LIST OF INTERVENORS

March 13, 2025

APPLICANT

Rep. and Contact Information for Service

Enbridge Gas Inc.

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INTERVENORS

Rep. and Contact Information for Service

**eMERGE Guelph
Sustainability**

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Enbridge Gas Inc.

EB-2025-0058

APPLICANT & LIST OF INTERVENORS

March 13, 2025

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of Guelph**

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