



Enbridge Gas Distribution Inc.

**Application for exemption from leave to construct
natural gas pipeline and associated facilities in Prince
Edward County**

PROCEDURAL ORDER NO. 2

March 14, 2025

Enbridge Gas Distribution Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on August 14, 2024, under subsection 95(2) of the *Ontario Energy Board Act, 1998*, (OEB Act) for an order exempting Enbridge Gas from the requirement to obtain leave to construct natural gas pipelines and facilities in the community of Cherry Valley in Prince Edward County. The proposed project consists of 8 kilometres (km) of Nominal Pipe Size (NPS) 4-inch polyethylene (PE) natural gas pipeline, 1.5 km of NPS 2-inch PE natural gas pipeline and approximately 50 metres of NPS 2-inch steel natural gas pipeline (Project). The Project is expected to cost \$6.9 million and serve approximately 110 customers in the community.

Enbridge Gas relies on section 3.0.1(1) of O. Reg. 328/03 for its application. This regulation authorizes the OEB to make an order under subsection 95 (2) of the OEB Act that exempts a person from the requirement to obtain leave from the OEB under subsection 90 (1). The exemption is available if:

- a) Leave is required only by virtue of clause 90 (1) (b) of the OEB Act;
- b) The proposed hydrocarbon line is projected to cost more than the amount specified (\$2 million) in section 3 for the purposes of that clause but not more than \$10 million; and
- c) The OEB makes a determination that the Crown's duty to consult, if it applies in respect of the application, has been adequately discharged.

Procedural Order No. 1 was issued on December 4, 2024. In order to assist the OEB in making on a determination on whether the Crown's duty to consult has been sufficiently discharged with respect to the Project, Enbridge Gas was directed in Procedural Order No.1 to file an updated Indigenous Consultation Report (ICR) and correspondence from

the Ministry of Energy and Electrification on Enbridge Gas's consultation activities. Enbridge Gas filed the updated ICR and Ministry of Energy and Electrification correspondence on December 18, 2024. Procedural Order No.1 also set the schedule for written discovery on Enbridge Gas's evidence. OEB staff filed interrogatories on January 10, 2025 and Enbridge Gas filed interrogatory responses on January 17, 2025, each in accordance with the dates set in Procedural Order No. 1.

By way of this procedural order, the OEB will provide a schedule for submissions from OEB staff, as well as for a reply submission from Enbridge Gas.

Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. OEB staff shall file their written submission with the OEB and serve them on all parties by **April 1, 2025**.
2. Enbridge Gas shall file a written reply submission, if any, with the OEB, by **April 15, 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-2024-0084** 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.

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, Lawren Murray at Lawren.Murray@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **March 14, 2025**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar