

June 6, 2025

Mr. Ritchie Murray  
Acting Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Mr. Murray:

**Re: Enbridge Gas Inc.  
Application for Approval of Franchise Agreement and New CPCN - City of Guelph  
Ontario Energy Board (OEB) File No. EB-2025-0058**

Enbridge Gas submits the following comments on the proposal by the City of Guelph and eMERGE Guelph Sustainability (eMERGE Guelph) on June 4, 2025 to extend the date on which they are to submit their proposed evidence ([Joint Intervenor Request for Extension of Time](#)).

### **Summary of Enbridge Gas' Position**

For the reasons set out below, Enbridge Gas urges the OEB to reject the request by the City of Guelph and eMERGE Guelph to delay the filing of the proposed evidence until July 2, 2025 because such a request is not warranted given the evidence proposed to be filed.

The OEB clearly limited the scope of this proceeding in [Procedural Order No. 1](#):

*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.*

The OEB further restricted the scope of proposed intervenor evidence in [Procedural Order No. 2](#) and determined to only allow evidence as was previously outlined by the intervenors:

*The OEB accepts eMERGE Guelph's preferred approach to evidence preparation whereby there would be no research related cost apart from reasonable, incremental legal costs. The OEB reminds eMERGE Guelph that this is not a generic hearing on the terms and conditions of the Model Franchise Agreement. Broad issues affecting Ontario communities and natural gas customers – beyond the City of Guelph – fall outside the scope of this proceeding. As noted in Procedural Order No. 1: "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.” In the current proceeding the OEB will consider whether there are compelling reasons for the City of Guelph to deviate from the Model Franchise Agreement’s terms and conditions.*

*The OEB will allow eMERGE Guelph to submit evidence, provided it focuses on factors unique to the City of Guelph and is relevant to determining appropriate franchise agreement terms. The expectation is that eMERGE Guelph’s evidence would be in the following general areas as outlined in their letter of April 17, 2025:*

- *City of Guelph climate targets*
- *City of Guelph’s Race to Zero climate pledge*
- *Community Energy Plan*
- *History of local climate advocacy*
- *Commitment for the Corporation of the City of Guelph to achieve 100% Renewable Energy by 2050*
- *City of Ottawa Letter and Report, Model Franchise Agreement Review, January 26, 2022*
- *“Jurisdictional Scan” (pages 10-11)*
- *City of Toronto Staff Report, Impact of Bill 165 & Gas Utility Use of Public Property in Toronto, May 13, 2024*

*The OEB would not find it helpful to consider evidence related to efforts to amend O. Reg. 548/06. The OEB agrees with Enbridge Gas that any legislative or regulatory changes under consideration at this time remain speculative and therefore fall outside the scope of this application.*

The City of Guelph and eMERGE Guelph argue that they require additional time to search for relevant documentary evidence and collect evidence from affiants.<sup>1</sup>

### **City of Guelph Evidence Proposal**

While the OEB was not specific within Procedural Order No. 2 about the permitted scope of evidence for the City of Guelph, Enbridge Gas refers the OEB to our [April 24, 2025 submission](#) comments about those parts of the City of Guelph’s proposed evidence that are already part of the evidentiary record of this proceeding and those parts that are not in scope nor relevant to this proceeding. All other evidence proposed by the City of Guelph was associated with the City of Guelph’s own policies, climate targets and energy transition commitments so it is not clear why the City of Guelph needs more time to gather and submit this information.

### **eMERGE Guelph Evidence Proposal**

eMERGE Guelph has identified a list of items that they would like to submit as evidence as part of this proceeding and the OEB has addressed these in Procedural Order No. 2, as cited above. Enbridge Gas also refers to its [April 24, 2025 submissions](#) regarding the limited relevance of this proposed information and reiterates that with the City of Guelph proposing to file seemingly similar information, there appears to be a high risk of overlap and duplication.

### **Conclusion**

In this proceeding, where the OEB has confirmed the limited scope of issues and that this is a not a generic hearing on the terms and conditions of the Model Franchise Agreement, the evidence must be clearly within scope, focused on factors unique to the City of Guelph, and avoid any duplication.

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<sup>1</sup> EB-2025-0058 – Joint Intervenor Request for Extension of Time, page 1

Enbridge Gas is concerned that through their request for additional time “to search for relevant documentary evidence”, intervenors are attempting to expand the scope of this proceeding, which will lead to regulatory inefficiencies and higher, unnecessary costs borne by ratepayers. Enbridge Gas objects to the request for additional time on this basis and will object to any intervenor costs claimed that are related to matters out of scope and are beyond reasonable, incremental legal costs in accordance with the OEB procedural orders.

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

Yours truly,

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