



Enbridge Gas Inc.

**Application for a Certificate of Public Convenience and
Necessity for the Township of Tay Valley**

PROCEDURAL ORDER NO.3

June 18, 2025

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on November 21, 2024, for an order under section 8 of the *Municipal Franchises Act* granting it a new certificate of public convenience and necessity (certificate) to construct works to supply natural gas in the Township of Tay Valley that would also cancel and supersede its existing certificate for the Township, which is in the name of the former Township of Bathurst.

On May 29, 2025, the OEB issued a Decision on Intervention of Climate Network Lanark (CNL) and Procedural Order No. 1. The OEB accepted the late intervention request by CNL and said it would consider any request by CNL to submit evidence provided that the proposed evidence is focused on factors that are specific to Tay Valley Township. The OEB also set out dates for the remaining procedural steps, including a deadline of June 13, 2025 for the Township of Tay Valley to file its written evidence.

On June 10, 2025, CNL filed a letter asking for permission to file evidence “to support its contention that expanding the geographic area in which Enbridge Gas has permission to construct gas works is not a necessity and is not in the public interest.” CNL also asked for Procedural Order No. 2 to be amended to allow intervenors to file their evidence after the interrogatory responses have been provided, arguing that “Without interrogatory responses (or an expanded application) the intervenors do not know the case that they need to meet.” That same day, Tay Valley Township also asked to file its evidence after the interrogatory responses.

Enbridge Gas responded on June 12, 2025. Enbridge Gas objected to CNL’s request to file evidence: “There is no reason to delay this proceeding further to allow CNL to file likely duplicative evidence related to the Township of Tay Valley and, more importantly, evidence on aspects that are outside the scope and jurisdiction of the OEB in respect of an application under the *Municipal Franchises Act*.”

Enbridge also opposed the extension of time for filing evidence requested by the Township: “This process is intended to be narrow and administrative in nature and it has already been significantly delayed.”

Findings

The OEB will allow Climate Network Lanark the opportunity to submit evidence, provided it focuses on factors unique to the Township of Tay Valley and is relevant to the consideration of a new certificate of public convenience and necessity to construct works to supply natural gas in the Township of Tay Valley under section 8 of the *Municipal Franchises Act*.

The OEB agrees with Enbridge Gas that any evidence must be within the scope and jurisdiction of the OEB in this proceeding and focus on matters pertaining to the Township of Tay Valley.

The OEB agrees with the Township of Tay Valley and CNL that they will be better positioned to prepare evidence after receiving the interrogatory responses. In accepting this request, the OEB has adjusted the dates accordingly. Please note that the dates for the filing of interrogatories and interrogatory responses on Enbridge Gas’s pre-filed evidence remain unchanged. The OEB has established a revised schedule for the other steps in this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The Township of Tay Valley, Climate Network Lanark and OEB staff shall request any relevant information and documentation from Enbridge Gas that is in addition to its filed evidence, by written interrogatories filed with the OEB and served on all parties by **June 27, 2025**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and deliver those responses to all parties by **July 11, 2025**.
3. The Township of Tay Valley shall file its written evidence with the OEB and serve it on all parties by **July 25, 2025**.
4. Climate Network Lanark shall file its written evidence with the OEB and serve it on all parties by **July 25, 2025**.
5. Enbridge Gas, Climate Network Lanark and OEB staff shall request any relevant information and documentation from the Township of Tay Valley that is in addition to its filed evidence, by written interrogatories filed with the OEB and served on all parties by **August 6, 2025**.

6. Enbridge Gas, the Township of Tay Valley and OEB staff shall request any relevant information and documentation from Climate Network Lanark that is in addition to its filed evidence, by written interrogatories filed with the OEB and served on all parties by **August 6, 2025**
7. The Township of Tay Valley shall file with the OEB complete written responses to all interrogatories and deliver those responses to all parties by **August 14, 2025**.
8. Climate Network Lanark shall file with the OEB complete written responses to all interrogatories and deliver those responses to all parties by **August 14, 2025**.
9. The Township of Tay Valley, Climate Network Lanark, and OEB staff shall file their written submissions with the OEB and serve them on all parties by **August 22, 2025**.
10. Enbridge Gas shall file a written reply submission, if any, with the OEB and serve it on all parties by **August 29, 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-2024-0342** 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 to 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, Ian Richler at Ian.Richler@oeb.ca (please note the change in OEB counsel).

Email: registrar@oeb.ca

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

DATED at Toronto, **June 18, 2025**

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar