

EVIDENCE OF THE CITY OF GUELPH

Exhibit 1

Tabs 1-3

EB-2025-0058

July 2, 2025

EXHIBIT LIST

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CERTIFICATION OF EVIDENCE

The undersigned, being City of Guelph (“City”) Junior Solicitor, Kip Phillips, hereby certifies for and on behalf of the City that:

1. I am a Junior Solicitor with the City.
2. This certificate is given pursuant to the Ontario Energy Board’ (the “OEB”) Filing Requirements under s.13.8 of the OEB Rules of Practice and Procedure.
3. This evidence is submitted in support of the City’s Intervention in the Application to renew the Model Franchise Agreement in OEB file EB-2025-0058 is accurate, consistent, and complete to the best of my knowledge.
4. The documents filed in support of the City's above referenced application do not include any personal information (as that phrase is defined in the Freedom of Information and Protection of Privacy Act), that is not otherwise redacted in accordance with rule 9A of the OEB’s Rules of Practice and Procedure.

DATED this 2nd day of July, 2025

Sincerely,

A handwritten signature in black ink, appearing to be "Kip Phillips", is written above a horizontal line.

KIP PHILLIPS

Kip Phillips, Junior Associate Solicitor
Legal, Realty and Court Services, Corporate Services
Location: City Hall

519-822-1260 Extension **4260**; TTY 519-826-9771

519-822-0705

Kip.phillips@guelph.ca

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RE: ENBRIDGE GAS INC.
APPLICATION FOR RENEWAL OF FRANCHISE AGREEMENT WITH THE
CORPORATION OF THE CITY OF GUELPH
ONTARIO ENERGY BOARD FILE NO. EB-2025-0058

EVIDENCE OF THE MUNICIPALITY OF GUELPH
AFFIDAVIT OF KYLE GIBSON

I, Kyle Gibson of the City of Guelph, in the County of Wellington and Province of Ontario,
MAKE OATH AND SAY AS FOLLOWS:

1. I am the Manager of Technical Services of Engineering & Transportation Services for The Corporation of the City of Guelph (the "**City**"). I, as a member of City Staff, represent the City. As the Manager of Technical Services, I have been involved with the matters that are the subject of the Application herein, and as such I have knowledge of the matters to which I hereinafter depose. The matters deposed to herein are within my personal knowledge except where otherwise indicated. Where I indicate that I have obtained information from other sources, I believe that information to be true. Copies of documents attached hereto and marked as Exhibits are true copies of the documents so identified.

2. I have been informed and verily believe that at the November 5, 2024 Committee of the Whole meeting Council received, for information, the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. **Enbridge** dated November 5, 2024 and the following staff-recommended motions:

2. That Council approve the form of franchise agreement and draft by-law attached to this report and authorize the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
3. That Council request that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the form of franchise agreement and draft by-law attached to this report is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.
4. That staff be authorized and directed to do all things necessary to give effect to the foregoing resolutions.

When voted upon, the foregoing motions 2, 3 and 4 were defeated by a vote of 3 to 10.

3. At the November 5, 2024 Committee of the Whole meeting Council and introduced and passed the following motions, as amended:
 2. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
 3. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:
 - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
 - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and

c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.

4. That the City of Guelph supports, in principle, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.

5. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Attached at Exhibit "1", Tab "2", Schedule "1" is a true copy of the November 5, 2024 and Committee of the Whole Meeting Minutes, and Attached at Exhibit "1", Tab "2", Schedule "2" is a true copy of the report entitled Municipal Franchise Agreement with Enbridge Gas Inc.

4. I have been informed and verily believe that on November 26, 2024 City Council passed the following motions:

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received for information.

2. That Council request the Province of Ontario to amend Section 9 of Regulation 584/06 under the *Municipal Act*, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.

3. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:

a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,

b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and

c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.

4. That the City of Guelph supports, in principle, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.

5. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

5. I have been informed and verily believe that City Council directed City staff to fulfil the direction given in motion 3 passed by City Council on November 26, 2024. Attached at Exhibit "1", Tab "2", Schedule "3" is a true copy of the November 26, 2024 City Council Meeting Minutes.

6. Enbridge and the City exchanged correspondence regarding the Model Franchise Agreement between May 10, 2024 to January 31, 2025, and the City's

concerns with the same. Attached at Exhibit “1”, Tab “2”, Schedule “4” is a true copy of the correspondence.

7. From my review of purchase orders available to me payable to Enbridge, Enbridge affiliated entities, and predecessor entity Union Gas, the City has incurred costs as a result of relocations and repairs relating to gas lines, including the following examples:
 - a. Dated May 11, 2010, to relocate gas main on Maltby Road at a cost of \$18,885.19;
 - b. Dated August 25, 2010, to relocate existing gas main in conflict with Speedvale Avenue East at a cost of \$25,072.31; and
 - c. Dated September 13, 2006, to replace the intermediate pressure gas main at a cost of \$19,283.88.

In addition to these examples, the City may have incurred other and additional costs associated with previous relocations and repairs. If further costs are identified, additional evidence may be submitted. Attached at Exhibit “1”, Tab “2”, Schedule “5” is a true copy of these expenses.

8. Of the significant amount of abandoned gas lines still remaining in the City, there are nearly 10,000 metres of abandoned gas lines installed on City property within the City’s 10 year Capital Project Implementation planned work, including at the following locations:
 - a. South Side Waterloo Ave Between 560 Waterloo Ave To Silvercreek Intersection;
 - b. Waterloo Ave Crossing At Silvercreek Intersection;
 - c. North Side Waterloo Ave Between 413 Waterloo Ave To Silvercreek Intersection;
 - d. Wellington St At Hanlon Pkwy Crossing;
 - e. South Side College Ave W From 302 College Ave W To Janefield Intersection;
 - f. East Side On Gordon St From 1460 To 1428 Gordon St;

- g. West Side Gordon St At Gordon St At Vaughan Crossing;
- h. East Side Gordon St Between Monticello And Stone Rd;
- i. West Side On Gordon St At Forbes Intersection;
- j. Gorson St Crossing At 105 Gordon St;
- k. East Side Gordon St Between 105 To 90 Gordon St;
- l. Gordon St Crossing At 89 Gordon St;
- m. East Side On Dublin St Between Northumberland And Cork;
- n. West Side On Dublin St Between Northumberland And Cork;
- o. East Side On Exhibition St Between London And Division;
- p. South Side On Speedvale Ave E From 45 Speedvale Ave E To Manhattan Ct Intersection;
- q. North Side On Speedvale Ave E From Riverview Dr Intersection To Manhattan Ct Intersection;
- r. Bake St Woolwich To Quebec;
- s. Macdonell St;
- t. East Side On Wyndham St N From Woolwich To Carden St;
- u. South Side Woolwich St From Baker To Wyndham And West Side On Wyndham St N From Woolwich To Carden St;
- v. Cork St;
- w. Douglas St;
- x. South Side On York Rd From Watson Rd To E Property Boundary Of 2 Watson Rd South;
- y. South Side On Stone Rd E From 795 To 847 Stone Rd E; and

z. West Side On Victoria Rd S From Clair Rd E To Arkell Rd;

Attached at Exhibit “1”, Tab “2”, Schedule “6” is a true copy of the list of abandoned pipelines.

- . When the City encounters decommissioned or abandoned pipelines in City projects, they often have to be removed. If Enbridge does not remove the part of the gas system it has decommissioned and the City requires the removal for the purpose of municipal works, it is often necessary for the City to remove and dispose of the decommissioned gas system, and the City has no recourse to Enbridge for any loss, cost, expense or damage occasioned by the removal. Losses, costs, expenses or damages occasioned by removal can exceed the cost of removal itself, in the ordinary course of linear infrastructure projects.
10. In the City’s Manitoba Street Reconstruction from Arthur Street South to Huron Street (**“Manitoba Street Reconstruction”**), existing gas services that were thought to be abandoned were found to still be live. As such, downtime for repairs and additional work were required by the contractor at a cost to the City of \$4468.10. Attached at Exhibit “1”, Tab “2”, Schedule “7” is a true copy of these costs.
11. Further, this gas line in the Manitoba Street Reconstruction was thought to be abandoned, but was actually still connected to the main. The gas main had been replaced prior to construction and the old gas main was to have been abandoned fully. Due to it not being completely abandoned as expected, there were additional construction mitigation measures needed on the part of the City’s contractor to remove the gas line. In addition to these direct costs, this is also a public safety issue. If gas remains in lines that are thought to be abandoned, it could cause injuries to City employees, City contractors doing construction, or to City residents and/or damage to City owned property.

12. Further on August 25, 2021, 275.8 metres of 75mm dia steel pipe (anticipated gas) was removed as a part of the Manitoba Street Reconstruction, at \$30 per metre, and had a total cost of \$8274 (“**August 2021 removal**”). Attached at Exhibit “1”, Tab “2”, Schedule “8” is a true copy of the inspector notes of these costs.
13. I estimate that when considering the cost of \$30 per metre that was paid in the August 2021 removal, the total cost for the next 10 years to the City for removal of existing gas main could be as high as \$271,590. Further, there are risks of unanticipated delays due to additional construction to relocate or remove gas lines, which are not quantifiable at this time.
14. The costs sharing obligation for relocating pipelines is an arbitrary allocation between the City and Enbridge. The formula for calculating total relocation costs compensates Enbridge for overhead and costs of doing business, yet does not take into account the costs incurred by the City, including labour, and costs of external consulting services, and additional costs of construction. This places a burden on taxpayers in the City while providing a subsidy for Enbridge.
15. The provisions in the Municipal Franchise Agreement give Enbridge the right, but does not require the removal of decommissioned portions of the gas system. Additionally, where Enbridge opts not to remove decommissioned portions of the gas system, and the City requires their removal, the City bears all loss, cost, expense or damage occasioned by the removal. This cost burden is excessive and places a burden on taxpayers in the City. The City should not be responsible or liable for removal of decommissioned portions of the gas system, at Enbridge’s option, due to conflicts with municipal infrastructure. To allow

Enbridge this discretion and to place cost burden on taxpayers indirectly provides a taxpayer funded subsidy for Enbridge.

DATED at the Municipality of the City of Guelph, in the Province of Ontario this 27th day of June 2025.

AFFIRMED BEFORE ME at the City of
Guelph in the County of Wellington,
Province of Ontario this 27th day of June,
2025



Commissioner for Taking Affidavits



KYLE GIBSON

This is Exhibit "1", Tab "2", Schedule "1" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 1



Minutes of Committee of the Whole Meeting

November 5, 2024, 1:30 p.m.
Council Chambers
Guelph City Hall, 1 Carden Street

Council:

Mayor C. Guthrie
Councillor P. Allt
Councillor C. Billings
Councillor L. Busuttil
Councillor L. Caron
Councillor E. Caton
Councillor K. Chew
Councillor C. Downer
Councillor D. Gibson
Councillor R. Goller
Councillor C. Klassen
Councillor D. O'Rourke
Councillor M. Richardson

Staff:

T. Baker, Chief Administrative Officer
C. Clack-Bush, Deputy Chief Administrative Officer, Public Services
J. Holmes, Deputy Chief Administrative Officer, Infrastructure, Development and Environment
T. Lee, Deputy Chief Administrative Officer, Corporate Services
J. Charles, General Manager, Legal and Court Services, City Solicitor
T. Gayman, General Manager, Engineering and Transportation Services
N. Tampacopoulos, General Manager, Environmental Services
K. Gibson, Manager, Technical Services
C. Walsh, Division Manager, Solid Waste Resources
D. McMahon, Acting General Manager, City Clerk's Office/City Clerk

J. McDonald, Council and Committee Assistant
C. Murray-Sprague, Council and Committee Coordinator
A. Sandor, Council and Committee Coordinator

1. Call to Order - Mayor

Mayor Guthrie called the meeting to order (1:30 p.m.)

1.1 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

2. Authority to move into closed meeting

Moved By Councillor Billings

Seconded By Councillor Allt

1. That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act, Section 239(2)(f) of the Municipal Act, regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor Richardson

Carried (11 to 0)

The following items were considered:

2.1 Call to Order (closed meeting)

2.2 Disclosure of Pecuniary Interest and General Nature Thereof (closed items)

2.3 Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-444

3. Closed Meeting Summary

Mayor Guthrie noted the following:

Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-444

Council received information, and no staff direction was given.

4. Open Meeting

Mayor Guthrie called the meeting to order (2:04 p.m.)

4.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

5. Staff Recognitions

5.1 Energy Management Insight Award by The Clean Energy Ministerial

Vice-chair Klassen recognized the following staff:

Bryan Ho-Yan, Manager Energy and Climate Change

Alisa Wiebe, Project Manager, Facilities and Energy Management

Jayne Holmes, Deputy Chief Administrative Officer, Infrastructure, Development and Environment

Robert Page, Supervisor, Fleet Planning

Phil Koechl, Supervisor, Corporate Building Maintenance

Carlin Sweeny, Project Manager, Facilities and Energy Management

Tijo Joseph, Project Manager, Facilities and Energy Management

Antti Vilkkko, General Manager, Facilities and Energy Management

Deepa Puthran, Project Manager, Facilities and Energy Management

5.2 Canadian Railway Operating Rules Certificate and the Track Inspection Guidelines Certificate

Vice-chair Klassen recognized the following staff:

Amber Bryer, Safety Officer, Guelph Junction Railway

5.3 Registered Professional Planner (RPP)

Vice-chair Klassen recognized the following staff:

Lucas Mollame, Planner

5.4 Registered Professional Planner (RPP)

Vice-chair Klassen recognized the following staff:

Rui Tong, Planner

5.5 Certified Engineering Technologist (CET) designation from the Ontario Association of Certified Engineering Technicians and Technologists

Vice-chair Klassen recognized the following staff:

Shaymaa Al-Ani, Traffic Signal Technologist

6. Service Area - Infrastructure, Development and Environment

Councillor Klassen assumed the position of Chair.

7. Items for Discussion

7.1 Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-416

The following delegates spoke:

Samantha Hicks

Morgan Dandie

David Douglass

Abigail and Indigo

Gina Lammel

John Lawson

Gyruss Valeriotte

Evan Ferrari

Chuck Castillo

First Motion

Moved By Councillor Billings

Seconded By Councillor Gibson

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received.
2. That Council approve the form of franchise agreement and draft by-law attached to this report and authorize the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
3. That Council request that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the form of franchise agreement and draft by-law attached to this report is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.
4. That staff be authorized and directed to do all things necessary to give effect to the foregoing resolutions.

Clause 1 was requested to be voted on separately.

Clause 1 of First Motion

Moved By Councillor Billings

Seconded By Councillor Gibson

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received.

Amendment to Clause 1 of First Motion

Moved By Councillor Caron

Seconded By Councillor Goller

Councillor Gibson called a Point of order, and asked whether Council had a chance to ask questions of staff. Chair Klassen noted that questions could be asked after the motion on the floor was voted on.

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received, **for information.**

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Clause 1 of First Motion as amended

Moved By Councillor Billings

Seconded By Councillor Gibson

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received for information.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Clauses 2, 3 and 4 of First Motion

Moved By Councillor Billings

Seconded By Councillor Gibson

2. That Council approve the form of franchise agreement and draft by-law attached to this report and authorize the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act

3. That Council request that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the form of franchise agreement and draft by-law attached to this report is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.

4. That staff be authorized and directed to do all things necessary to give effect to the foregoing resolutions.

Voting in Favour: (3): Mayor Guthrie, Councillor Billings, and Councillor Gibson

Voting Against: (10): Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Defeated (3 to 10)

Second Motion

Moved By Councillor Caron

Seconded By Councillor Goller

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff to negotiate a Franchise Agreement with the gas distribution company that:
 - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
 - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
 - c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.

3. That the City of Guelph supports the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.
4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

First Amendment to Second Motion

Moved By Mayor Guthrie

Seconded By Councillor Busuttil

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff, **to the satisfaction of the DCAO of IDE** to negotiate a Franchise Agreement with the gas distribution company that:
 - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
 - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
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4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the

Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Second Amendment to Second Motion

Moved By Councillor O'Rourke

Seconded By Mayor Guthrie

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:
 - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
 - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
 - c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.
3. That the City of Guelph supports, **in principle**, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.
4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the

Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Voting in Favour: (8): Mayor Guthrie, Councillor Billings, Councillor Busuttil, Councillor Chew, Councillor Gibson, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Voting Against: (5): Councillor Allt, Councillor Caron, Councillor Caton, Councillor Downer, and Councillor Goller

Carried (8 to 5)

Second Motion as Amended

Moved By Councillor Caron

Seconded By Councillor Goller

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:
 - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
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Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Voting Against: (2): Councillor Billings, and Councillor Gibson

Carried (11 to 2)

Council recessed (4:05 p.m.). Council reconvened (4:11 p.m.)

7.2 Blue Box Transition Status Update - 2024-449

Nectar Tampacopoulos, General Manager, Environmental Services and Cameron Walsh, Division Manager, Solid Waste Resources, presented.

The following delegate did not speak:

Greg Dorval

Moved By Councillor O'Rourke

Seconded By Councillor Allt

1. That the report entitled Blue Box Transition Status Update, dated November 5, 2024, be received.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

8. Service Area Chair and Staff Announcements

Mayor Guthrie noted that Ward 3 and 4 Councillors are conducting a budget town hall on November 6, 2024, at 6:30 p.m. at the West End Community Centre. Mayor Guthrie also noted that the Mayor's Town Hall event would be taking place live on the Mayor's Facebook page, at 6:00 p.m. on November 5, 2024.

9. Adjournment

Moved By Mayor Guthrie

Seconded By Councillor Goller

1. That the meeting be adjourned (4:31 p.m.)

Carried

Mayor Guthrie

Dylan McMahon - Acting City Clerk

This is Exhibit "1", Tab "2", Schedule "2" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 2

Staff Report



To	Committee of the Whole
Service Area	Infrastructure, Development and Environment
Date	Tuesday, November 5, 2024
Subject	Municipal Franchise Agreement with Enbridge Gas Inc.

Recommendation

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received.
 2. That Council approve the form of franchise agreement and draft by-law attached to this report and authorize the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
 3. That Council request that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the form of franchise agreement and draft by-law attached to this report is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.
 4. That staff be authorized and directed to do all things necessary to give effect to the foregoing resolutions.
-

Executive Summary

Purpose of Report

The purpose of this report is, first, to provide Council with information regarding gas franchises, including applicable legislation and franchise agreements governing the relationship between a municipality and a natural gas distributor; specifically, the existing Franchise Agreement between The Corporation of the City of Guelph (the City) and Enbridge Gas Inc. (Enbridge) which will expire on May 15, 2025. Second, this report makes recommendations to Council regarding renewal of the Franchise Agreement with Enbridge for a further 20-year period.

Key Findings

- Enbridge, and its predecessor Union Gas, has provided gas distribution services within the City of Guelph since approximately 1957.
- In Ontario, natural gas distributors are regulated by the Ontario Energy Board (the OEB), a quasi-judicial administrative tribunal, operating under the authority of the Ontario Energy Board Act, 1998. The OEB is responsible for regulation of the natural gas sector in the public interest.
- The OEB adopted the Model Franchise Agreement following significant input from interested stakeholders, including the Association of Municipalities of Ontario

and natural gas distributors, to provide guidance to applicants and municipalities regarding the standard terms of a franchise agreement and as a tool to efficiently administer the many franchise agreements across the Province.

- The OEB's regulatory authority includes the power to grant exclusive territorial rights to a particular gas distributor to provide gas service within a municipality, subject to compliance with the Municipal Franchises Act, R.S.O. 1990, c. M.55 (the MFA).
- The MFA sets out the requirements for the allocation of municipal territory to regulated gas distributors, including the requirement that the natural gas distributor obtain municipal consent to the construction and operation of gas works in the municipal territory, on terms and conditions approved by the OEB.
- The City and Enbridge are parties to an existing unmodified, Franchise Agreement which will expire on May 16, 2025. Enbridge has initiated the process to renew the same Model Franchise Agreement.
- If the City and Enbridge do not enter into a new Franchise Agreement prior to expiry of the current agreement, the terms of the current agreement will continue in effect.
- Enbridge has the right to apply to the OEB under the MFA for an Order to approve the franchise renewal on the terms and for the duration set out in the form of franchise agreement attached to this report.

Strategic Plan Alignment

Natural gas is an important part of the energy mix serving residents in the City of Guelph now and in the future as our community grows. Strong relationships with natural gas distributors and other utilities are key to successful coordination of infrastructure upgrades and expansions to enhance service to the community.

Future Guelph Theme

City Building

Future Guelph Objectives

City Building: Improve housing supply

Financial Implications

The renewal of the Franchise Agreement with Enbridge does not have new financial implications for the City.

Report

Gas Franchise Agreement

In Ontario, natural gas distributors are regulated by the Ontario Energy Board (OEB), which operates under the authority of the Ontario Energy Board Act, 1998. The OEB is responsible for regulation of the natural gas sector in the public interest. Its regulatory authority includes the power to grant exclusive territorial rights to a gas distributor to provide gas service within a municipality.

The Municipal Franchises Act (MFA) sets out the requirements for the allocation of municipal territories to gas distributors, including a requirement to obtain municipal consent to the construction and operation of gas works in the municipality on terms and conditions approved by the OEB.

The OEB has approved a Model Franchise Agreement with standardized terms and conditions for use between municipalities and natural gas distributors. The current agreement between the City and Enbridge is an unmodified Model Franchise Agreement and Enbridge proposes to use the same Model Franchise Agreement for the renewal. Before a natural gas distributor and municipality can enter into a Franchise Agreement, the terms, conditions, and duration must be approved by the OEB. The OEB expects municipalities and natural gas distributors to use the Model Franchise Agreement unless there is a compelling reason for deviation.

If the City and Enbridge do not enter into a new Franchise Agreement prior to expiry of the current agreement, the terms of the current agreement will continue in effect. The automatic continuation does not prevent Enbridge from applying to the OEB under the MFA seeking an Order to approve the gas franchise renewal.

Renewal Process

As a precondition to entering into a Franchise Agreement, the municipal council must pass a by-law approving the form of agreement. Unless dispensed with by the OEB, pursuant to its authority under Section 9(4) of the MFA, the by-law must receive the assent of the electors. Following the passing of the by-law by council, but before the by-law consenting to the gas franchise can be submitted for assent by the municipal electors, the terms, condition, and duration of the Franchise Agreement must first be approved by the OEB.

To obtain OEB approval of a proposed Franchise Agreement, an application is made to the OEB including the resolution of municipal council that: approves the form of agreement and the draft by-law; requests that the OEB declare and direct that the assent of the electors is not required; and authorizes the submission to the OEB for approval. These requirements are covered in the recommendations of this Report.

The OEB will typically make a declaration and direction that the assent of the electors is not required and will give approval of the Franchise Agreement where public convenience and necessity appear to require it. The approval of the OEB takes the form of a Certificate of Public Convenience and Necessity.

The foregoing describes a voluntary process for application to the OEB for renewal of a Franchise Agreement. Where the municipality and gas distributor have not reached an agreement, section 10 of the MFA allows either the municipality or the gas distributor to apply to the OEB for an Order for renewal of the Franchise Agreement. The OEB is required to hold a public hearing upon an application for an Order to renew a Franchise Agreement. An Order of the OEB renewing a Franchise Agreement is deemed to be a valid by-law of the municipality.

Identified Issues

Staff have reviewed the proposed form of Franchise Agreement and identified the following issues. Staff met with Enbridge to discuss these matters. As of the date of this report, efforts to negotiate these terms directly with Enbridge have been unsuccessful. However, some of the identified areas of concern can be managed at the local level through cooperative relationships between the municipality and gas distributor. Identified areas of concern include:

- Broad right to municipal property- The term highway used in the Franchise Agreement is broader than the definition in the Municipal Act, 2001 and includes public squares, walkways, and alternative easements.
- Relocation costs - If, in the course of municipal works, it is necessary to remove or relocate part of the gas system, the municipality is responsible for a portion of the relocation costs.
- Approval of construction – The existence of gas infrastructure in/on public property can result in utility conflicts and increase complexity of linear infrastructure projects. The Franchise Agreement provides a guideline for consultation and review processes to mitigate these risks. The provisions are general in nature, and therefore a good working relationship between the municipality and gas distributor is highly important.

Where a Franchise Agreement is in place, Enbridge is still required to obtain permits for any excavation or work that will disturb the surface of the travelled portion of a highway. The City will continue to review applications, as it does with all third-party utilities, to ensure the proposed plan is in the best interest of the City.

Financial Implications

There are no new financial implications of a renewed Franchise Agreement with Enbridge.

Franchise Agreements do have financial implications for both the gas distributors and municipalities who are party to them. Commonly expressed concerns regarding gas franchises include the cost-allocation provisions under the Model Franchise Agreement, and the restriction on municipal authority to impose fees and charges on gas distributors for use of public property.

Section 9 of O.Reg. 584/06 under the Municipal Act, 2001 provides that municipalities do not have the power to impose a fee or charge on a gas distributor for services or activities, costs payable, or the use of property with respect to pipes, equipment, machinery or other works that are or will be located on a municipal highway; and are or will be used as part of the business of the gas distributor. However, per section 10 of the regulation, nothing in section 9 prevents the imposition of fees or charges to recover the municipality's reasonable costs for issuing permits with respect to placement, cutting, or digging a municipal highway for the works of the gas distributor. Subject to the limits imposed under O. Reg. 584/06, Enbridge is not exempt from applicable permit fees and the City also has the right to be compensated by Enbridge for the staff time for review of proposed plans, and for Street Occupancy permit fees for Enbridge's contractors to complete the work within the City Right-of-Way. This is consistent with other third-party utilities.

Natural gas distributors are also subject to the Assessment Act (Ontario). Currently the City receives tax revenue from Enbridge, based on pipeline assessment. In 2023, the overall pipeline was assessed at \$34,185,000, and thus the City received \$764,730 in City taxes and collected \$300,828 in educational taxes on behalf of the local school boards. This is specific to Enbridge and is not applicable to any other third-party utility.

Consultations and Engagement

Hearings and decisions of the OEB are public, and as such, several applicable OEB decisions were reviewed when making recommendations for this report, as well as appeals of OEB orders. The review affirmed that the OEB will only approve modifications to the Model Franchise Agreement in very limited, unique circumstances where a deviation from the standard terms is necessary or justified for one municipality and gas distributor distinct from all others. The legislature has empowered the OEB with broad authority and jurisdiction to determine reasonable terms and conditions to govern gas franchises in the public interest.

Attachments

Attachment-1 Draft By-law Enbridge Franchise Agreement

Attachment-2 2000 Model Franchise Agreement

Departmental Approval

None

Report Author

Kyle Gibson, Manager, Technical Services

Jennifer Charles, General Manager, Legal and Court Services / City Solicitor

This report was approved by:

Terry Gayman, P. Eng.

General Manager, Engineering and Transportation Services / City Engineer

Infrastructure, Development and Environment

519-822-1260 ext. 2369

terry.gayman@guelph.ca

This report was recommended by:

Terry Gayman, P. Eng.

Acting DCAO Infrastructure, Development and Environment

Infrastructure, Development and Environment

519-822-1260 ext. 2369

terry.gayman@guelph.ca

This is Exhibit "1", Tab "2", Schedule "3" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 3



Minutes of Guelph City Council

**November 26, 2024, 5:30 p.m.
Council Chambers
Guelph City Hall, 1 Carden Street**

Council:

Mayor C. Guthrie
Councillor P. Allt
Councillor C. Billings
Councillor L. Busuttil
Councillor L. Caron
Councillor E. Caton
Councillor K. Chew
Councillor C. Downer
Councillor D. Gibson
Councillor R. Goller
Councillor C. Klassen
Councillor D. O'Rourke
Councillor M. Richardson

Staff:

T. Baker, Chief Administrative Officer
C. Clack-Bush, Deputy Chief Administrative Officer, Public Services
J. Holmes, Deputy Chief Administrative Officer, Infrastructure, Development and Environment
T. Lee, Deputy Chief Administrative Officer, Corporate Services
J. Charles, General Manager, Legal and Court Services, City Solicitor
T. Gayman, General Manager, Engineering and Transportation Services
K. Gibson, Manager, Technical Services
D. McMahon, Acting General Manager, City Clerk's Office/City Clerk
C. Murray-Sprague, Council and Committee Coordinator
A. Sandor, Council and Committee Coordinator

S. Osborn, Administrative Coordinator

Also Present: John Mascarin, Integrity Commissioner

2. Call to Order

Mayor Guthrie called the meeting to order (5:30 p.m.).

2.1 Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Caron declared pecuniary interest as she has a family member that is a member of CUPE 241.

Councillor Downer declared pecuniary interest as she has a family member that is a member of CUPE 973.

3. Authority to move into closed meeting

Moved By Councillor Allt

Seconded By Councillor Klassen

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239(2)(b)(d) of the Municipal Act, regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

The following items were considered:

3.1 Call to Order (closed meeting)

3.2 Disclosure of Pecuniary Interest and General Nature Thereof (closed items)

3.3 Confirmation of Closed Council Minutes

3.4 November 2024 Public Appointments – The Elliott Community Board of Trustees

3.5 Bargaining Mandate Report Canadian Union of Public Employees Local 241 and 973, 2024-506

4. Closed Meeting Summary

Mayor Guthrie called the open meeting to order (6:00 p.m.).

Mayor Guthrie spoke regarding the matters discussed in closed session and identified the following:

Bargaining Mandate Report Canadian Union of Public Employees Local 241 and 973

Council received information and provided staff direction.

November 2024 Public Appointments – The Elliott Community Board of Trustees

Moved By Councillor O'Rourke

Seconded By Councillor Busuttil

1. That Joanne Hohenadel and Lisa Woolley be appointed to The Elliott Community Board of Trustees for a 3-year term ending November 26, 2027, or until such time as a successor is appointed.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

5. Open Meeting – 6:00 p.m.

5.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

6. Recognition

6.1 Community Presentation – Nathan Skoufis

Mayor Guthrie congratulated Nathan Skoufis for winning Gold in the world championships.

7. Confirmation of Open Minutes

Moved By Councillor Busuttil

Seconded By Councillor Allt

1. That the minutes of the open Council Meetings held October 8, 29, 30, 2024, and the Committee of the Whole Meeting held October 1, 2024, be confirmed as recorded and without being read.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

8. Items for Discussion

8.1 Report to Council re Code of Conduct: Gifts and Benefits - November 19 2024

John Mascarin, Integrity Commissioner, introduced Report to Council re Code of Conduct: Gifts and Benefits - November 19 2024.

Moved By Councillor Klassen

Seconded By Councillor Gibson

1. That the report to Council re Code of Conduct: Gifts and Benefits dated November 19, 2024, be received.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

8.2 Code of Conduct Amendment in Relation to Integrity Commissioner Report to Council re Code of Conduct Gifts and Benefits

Mayor Guthrie introduced Code of Conduct Amendment in Relation to Integrity Commissioner Report to Council re Code of Conduct Gifts and Benefits.

Moved By Councillor Goller

Seconded By Councillor Richardson

1. That Section 5 of the Code of Conduct for Council and Local Boards be amended to include an exception for 'food, lodging, transportation and entertainment provided by third-party organizations for attendance at events which are targeted to a municipal government audience' and, when the total benefit

exceeds \$300, require reporting in the City Council and Local Boards Gift Disclosure within 30 days.

Amendment

Moved By Councillor O'Rourke

Seconded By Councillor Richardson

1. That Section 5 of the Code of Conduct for Council and Local Boards be amended to include an exception for 'food, lodging, transportation and entertainment provided by third-party organizations for attendance at events which are targeted to a municipal government audience **with the prior approval of City Council when the benefit exceeds \$300' and, when the total benefit exceeds \$300**, require reporting in the City Council and Local Boards Gift Disclosure within 30 days.
2. **That, in accordance with Section 5 of the Code of Conduct for Council and Local Boards, City Council approves an exception for food, lodging, transportation and entertainment provided by the Global Covenant of Mayors to Mayor Guthrie for attendance at events which are targeted to a municipal government audience**

Voting in Favour: (4): Councillor Caron, Councillor Caton, Councillor O'Rourke, and Councillor Richardson

Voting Against: (9): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, and Councillor Klassen

Defeated (4 to 9)

Main Motion

Moved By Councillor Goller

Seconded By Councillor Richardson

1. That Section 5 of the Code of Conduct for Council and Local Boards be amended to include an exception for 'food, lodging, transportation and entertainment provided by third-party organizations for attendance at events which are targeted to a municipal government audience' and, when the total benefit exceeds \$300, require reporting in the City Council and Local Boards Gift Disclosure within 30 days.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

8.3 Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-416

The following delegates spoke:

Indigo Moran

Murray Costello and Patrick McMahon

Henry Moran and Gyruss Valeriotte

Gaby Kalapos

Gina Lammel

Evan Ferrari

Moved By Councillor Caron

Seconded By Councillor Klassen

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received for information.
2. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
3. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:
 - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
 - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and

- c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.
4. That the City of Guelph supports, in principle, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.
5. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

The motions were requested to be voted on separately.

Moved By Councillor Caron

Seconded By Councillor Klassen

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received for information.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Moved By Councillor Caron

Seconded By Councillor Klassen

2. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Voting Against: (2): Councillor Billings, and Councillor Gibson

Carried (11 to 2)

Moved By Councillor Caron

Seconded By Councillor Klassen

3. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:

- a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
- b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
- c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.

Voting in Favour: (10): Mayor Guthrie, Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Voting Against: (3): Councillor Billings, Councillor Chew, and Councillor Gibson

Carried (10 to 3)

Moved By Councillor Caron

Seconded By Councillor Klassen

4. That the City of Guelph supports, in principle, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Voting Against: (2): Councillor Billings, and Councillor Gibson

Carried (11 to 2)

Moved By Councillor Caron

Seconded By Councillor Klassen

5. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

9. By-laws

Moved By Councillor Caton

Seconded By Councillor Caron

1. That by-laws (2024)-21005, (2024)-21012 and (2024)-21017 be approved subject to Section 284.11 (4) of the Municipal Act.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

11. Adjournment

Moved By Councillor Billings
Seconded By Councillor Busuttil

1. That the meeting be adjourned (7:51 p.m.).

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Mayor Guthrie

Dylan McMahon - Acting City Clerk

This is Exhibit "1", Tab "2", Schedule "4" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 4

From: [Jennifer Charles](#)
To: ["Julie Alexander"](#)
Cc: [Kyle Gibson](#); ["Patrick McMahon"](#); [Sara Temple](#)
Subject: RE: Enbridge - Franchise Agreement renewal documents
Date: Tuesday, September 24, 2024 9:24:00 AM

Good morning Julie,

I am writing to provide an issues list for our upcoming call. This list is not exhaustive, as I anticipate our initial call will be an opportunity for introductions and to provide you with an overview of our areas of concern. We expect a subsequent call will be necessary to address takeaways.

If you have anything to add to the agenda, please let me know.

We look forward to speaking with you then.

- Scope - The term “highway” is broader than as defined in the Municipal Act, 2001 and includes public squares and walkways. These types of municipal property are unique from roads and road allowances. The breadth of Enbridge’s right to construct in these areas, combined with the obligation to grant alternative easements or cost-share in the event of relocation, is an area of concern.
- Approval of Construction – Seeking clarity on the meaning of “known project” or “known highway deficiency”. Discuss City of Guelph permit application process.
- Submissions - Timeline for submission of “as built” drawings – seeking reduction from 6 months.
- Relocation – Concern that the concept of total relocation costs compensates for Enbridge’s costs of doing business and does not take into account costs incurred by the City in connection with relocations.
- Disposition of Gas System – Removal or relocation of decommissioned gas system is at Enbridge’s option and can result in imposition of costs on the City. Based on the cost implications, it is in Enbridge’s interest to leave decommissioned infrastructure in situ, which has practical and financial implications for the City.
- Deemed Amendments – The Franchise Agreement is subject to deemed amendment in the event of changes to the Model Franchise Agreement. It is a fundamental principle that a contract be agreed to by all parties – a meeting of the minds. With a deemed amendment provision, the City is being asked to enter into an agreement that can be amended without consent.

Kind regards,
Jennifer

Jennifer Charles

General Manager, Legal and Court Services / City Solicitor
Legal and Court Services, Corporate Services

From: Julie Alexander [REDACTED]
Sent: Friday, May 10, 2024 3:57 PM
To: Scott Stewart <Scott.Stewart@guelph.ca>; Stephen O'Brien <Stephen.O'Brien@guelph.ca>
Cc: CAO <administration@guelph.ca>; Clerks <clerks@guelph.ca>; Julie Alexander [REDACTED]
Subject: Enbridge - Franchise Agreement renewal documents

[EXTERNAL EMAIL] This email originates outside the City of Guelph. Do not click links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Stewart and Mr. O'Brien,

On May 16, 2025, the current franchise agreement between the City of Guelph and the former Union Gas Limited will expire. Based on the most recent customer count report, we currently provide service to approximately 47,700 customers within the City of Guelph. Enbridge Gas and its predecessors have been providing access to gas distribution services within the City of Guelph since approximately 1955.

Provincial legislation requires a franchise agreement between the municipal corporation and the gas company serving that municipality. The Ontario Energy Board has directed that the current 2000 Model Franchise Agreement be used as the model for such agreements.

As a result, Enbridge Gas and the City of Guelph need to commence the process to renew a 20-year franchise agreement using the approved model.

To assist you in this matter, I am enclosing the following documents for discussions with the City of Guelph:

1. Franchise Agreement Renewal Documents:
 - Guidelines to Municipalities Respecting the Renewal of Franchise Agreements
 - Draft Resolution of the municipality
 - Draft By-Law of the municipality
 - 2000 Model Franchise Agreement with Enbridge Gas Inc.
2. Historical Background:
 - a copy of the current By-Law No. (2005)-17747 (passed on May 16, 2005) and the current Franchise Agreement effective May 16, 2005
 - a copy of the Certificate of Public Convenience and Necessity that Enbridge Gas holds for the City of Guelph (FBC 109)

Note: We will apply for a new CPCN for the City of Guelph to account for annexations that have taken place involving the Township of Guelph/Eramosa and the Township of Puslinch.

3. Reference Documents:

- a copy of the Gas Franchise Handbook (an explanatory supplement to the 2000 Model Franchise Agreement)
- customer density map for areas served within the City of Guelph

We would ask that the Municipality pay special attention to the Updated Guidelines to Municipalities document for the renewal process. We would be happy to meet to go through the renewal process and these guidelines. We did have a pre-renewal meeting with Mayor Guthrie last year so he will be aware that the franchise agreement is up for renewal.

Please review the *Guidelines to Municipalities Respecting the Renewal of Franchise Agreements* with the City of Guelph and arrange to have a Resolution passed by Council in a timely manner so that the regulatory approval process can commence.

This entire process to get a franchise agreement approved by the Ontario Energy Board can be quite lengthy and may take up to eight months. I will follow up on when the information may be reviewed by the City of Guelph at a council meeting.

[REDACTED]

Thank you,
Julie

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From: [Diane Inkster](#)
To: [Kyle Gibson](#)
Subject: FW: Information from Enbridge
Date: Monday, June 9, 2025 1:19:49 PM



From: Julie Alexander [REDACTED]
Sent: Thursday, June 1, 2023 12:10 PM

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Jayne,

It was a pleasure to meet you virtually on Monday and thank you for your time.

My apologies for the delay in getting back to you. I have now received some information from our Business Development team on some of the project we are working on or have completed with municipalities.

For Renewal Natural Gas (RNG), I understand that Steve Rakidzioski (Enbridge) is working with the City of Guelph staff on a potential RNG project. We currently have completed a project with the City of Toronto, have one under construction and another project breaking ground next year. We are also working closely with City of Ottawa and Region of York and Niagara. Enbridge completed a project with Walker Industries in and I have put a link below for your review.

<https://www.newswire.ca/news-releases/enbridge-partners-with-walker-industries-and-comcor-environmental-to-develop-renewable-natural-gas-projects-across-canada-866721649.html>

In terms of digesters, I am awaiting more information from Steve on this.

From a Demand Side Management perspective, Enbridge has incentives available for select equipment upgrades, new construction/retrofits, energy audits and assessments etc. Please let me know if the City is interested and I will connect you with someone from our Municipal Energy Services group.

As per our discussion, the Locates charge is on pause. Enbridge continues to consult with government and the Ontario Energy Board. We will update the City of Guelph once we receive a response from the OEB.

During our meeting there was also mention about the City of Ottawa and their Franchise Agreement renewal. Unfortunately the detailed discussions between Enbridge and Ottawa cannot be disclosed for privacy reasons. However I can say that the issues brought forward fell outside of the Franchise Agreement and therefore were not considered in the Franchise Agreement renewal process.

I hope this is helpful but please feel free to reach out to me with any further questions or concerns.

Kind regards,
Julie

Julie Alexander
Senior Advisor, Municipal and Stakeholder Engagement

[REDACTED]

[REDACTED]
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[REDACTED]

[REDACTED]

[REDACTED]

From: Julie Alexander [REDACTED]
Sent: Thursday, June 1, 2023 12:10 PM
To: Jayne Holmes <Jayne.Holmes@guelph.ca>
Cc: Murray Costello <[REDACTED]>; Aaron Chapman <[REDACTED]>
Subject: Information from Enbridge

[EXTERNAL EMAIL] Do not click links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Jayne,

It was a pleasure to meet you virtually on Monday and thank you for your time.

My apologies for the delay in getting back to you. I have now received some information from our Business Development team on some of the project we are working on or have completed with municipalities.

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<https://www.newswire.ca/news-releases/enbridge-partners-with-walker-industries-and-comcor-environmental-to-develop-renewable-natural-gas-projects-across-canada-866721649.html>

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I hope this is helpful but please feel free to reach out to me with any further questions or concerns.

Kind regards,
Julie

Julie Alexander
Senior Advisor, Municipal and Stakeholder Engagement

[Redacted signature block]

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From: [Jayne Holmes](#)
To: [Patrick McMahon](#); [Julie Alexander](#)
Cc: [Terry Gayman](#); [Kyle Gibson](#); [Murray Costello](#)
Subject: RE: Enbridge Franchise Agreement and City of Guelph
Date: Tuesday, January 14, 2025 11:43:25 AM

Great, thanks for the information Patrick,
Jayne

From: Patrick McMahon [REDACTED] >
Sent: Tuesday, January 14, 2025 11:40 AM
To: Jayne Holmes <Jayne.Holmes@guelph.ca>; Julie Alexander [REDACTED] >
Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello [REDACTED] >
Subject: RE: Enbridge Franchise Agreement and City of Guelph

[EXTERNAL EMAIL] This email originates outside the City of Guelph. Do not click links or attachments unless you recognize the sender and know the content is safe.

Just to be clear, all that will be identified in the Notice of Hearing is a date by which comments can be submitted or a request for intervenor status is submitted. If you apply for and are granted intervenor status, then the OEB will include you in the list of parties that can submit questions / information requests about the application and make argument submissions based on a procedural schedule. I have attached the Notice issued last month for the application related to the Amherstburg franchise agreement renewal so you can see what they look like.

We don't have any influence on the date that the OEB puts in the Notice of Hearing as far as submitting a request for intervenor status. The OEB will also set the schedule related to submitting information requests and the submission of arguments based on their own application processing timelines. We don't generally have any influence on that schedule unless we can identify a conflict with the procedural schedule of another hearing.

My guess at timing is that the Notice of Hearing would be published ~ January 23 with requests for intervenor status due by ~ February 7. I'm assuming that the OEB will conduct a written hearing unless they feel that they would like to hear final argument submissions as part of a virtual hearing. They won't decide on the format of the hearing until after the information request process has been concluded.

If it is a written hearing, I'm guessing that information requests related to the application would be due to be submitted by ~ February 21, responses due from Enbridge Gas by ~ March 7 and intervenor argument submissions due ~ March 21. No guarantees on this schedule of course, but you should have time to gather instructions and prepare related materials.

There could be delays to the schedule if you and/or other parties (like eMERGE Guelph and other groups) decide to intervene and want to submit evidence (beyond what might be included in final arguments). If a request to submit evidence is made, there is usually an added process to debate whether the OEB needs evidence on issues being raised by the intervenors.

Note that requests for intervenor status are submitted online ([Intervention Form | OEB](#)). You

can get background information on intervening on the OEB web site - [Intervenor information | Ontario Energy Board](#).

Pat

Patrick McMahon

Technical Manager, Regulatory Research and Records



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From: Jayne Holmes <Jayne.Holmes@guelph.ca>

Sent: Tuesday, January 14, 2025 10:55 AM

To: Patrick McMahon <[REDACTED]>; Julie Alexander <[REDACTED]>

Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello <[REDACTED]>

Subject: [External] RE: Enbridge Franchise Agreement and City of Guelph

Thanks Patrick,

As noted earlier, once we receive notice of the hearing date, we will need to let our council know so we will wait for you to send us a copy of the notice.

We do want to make sure that we have staff available for that meeting date and as noted below, that we have a chance to get instructions from council and prepare materials.

I'm not sure if you have any ability to influence the date Patrick but mid Feb would likely be earliest we could manage given our council meeting schedule.

Jayne

From: Patrick McMahon <[REDACTED]>

Sent: Tuesday, January 14, 2025 7:52 AM

To: Jayne Holmes <Jayne.Holmes@guelph.ca>; Julie Alexander <[REDACTED]>

Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello <[REDACTED]>

Subject: RE: Enbridge Franchise Agreement and City of Guelph

[EXTERNAL EMAIL] This email originates outside the City of Guelph. Do not click links or

attachments unless you recognize the sender and know the content is safe.

The ball is now in my court so I can provide an update on Julie's behalf.

We submitted our application to the OEB on January 6, 2025 pursuant to Section 10 of the *Municipal Franchises Act* for approval of a model franchise agreement without amendments. We are now waiting for OEB Staff to complete an initial review of the application and for them to issue an application completeness letter (i.e., all of the filing requirements have been met). The application completeness letter will trigger the OEB to issue a Notice of Hearing (which will be published in a local newspaper and online) and a letter of direction to us. The letter of direction typically instructs us to send a copy of the Notice and the application to the municipality and triggers the application becoming public.

The Notice of Hearing will contain a date (usually 2 weeks after the publication date) by which interested parties can submit comments about the application and/or request intervenor status for the hearing of the application.

I suspect that the Notice of Hearing could be issued as early as next week but the timing is all up to the OEB. I will send you a copy of the Notice of Hearing and the application as soon as we receive the letter of direction from the OEB.

Pat

Patrick McMahon

Technical Manager, Regulatory Research and Records



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From: Jayne Holmes <Jayne.Holmes@guelph.ca>

Sent: Monday, January 13, 2025 5:21 PM

To: Julie Alexander <[REDACTED]>

Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello <[REDACTED]>; Patrick McMahon <[REDACTED]>

Subject: [External] RE: Enbridge Franchise Agreement and City of Guelph

Hi Julia,

Happy New Year and hope everyone had a wonderful holiday break.

We have an internal meeting set up for tomorrow with our legal staff, it was set up before the email trail below but just wondering if there is any update that I could update everyone on, are there any next steps or dates we should be aware of?

Thanks
Jayne

From: Julie Alexander [REDACTED]
Sent: Friday, December 20, 2024 4:21 PM
To: Jayne Holmes <Jayne.Holmes@guelph.ca>
Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello [REDACTED]; Patrick McMahon <[REDACTED]>
Subject: RE: Enbridge Franchise Agreement and City of Guelph

[EXTERNAL EMAIL] This email originates outside the City of Guelph. Do not click links or attachments unless you recognize the sender and know the content is safe.

Hi Jayne,

Thank you for confirming the City of Guelph's position. Patrick will submit the Section 10 application to the OEB.

I hope you and your family have a wonderful holiday!

Kind regards,
Julie

From: Jayne Holmes <Jayne.Holmes@guelph.ca>
Sent: Friday, December 20, 2024 4:16 PM
To: Julie Alexander <[REDACTED]>
Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello <[REDACTED]>; Patrick McMahon <[REDACTED]>
Subject: [External] Re: Enbridge Franchise Agreement and City of Guelph

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Hi Julie

Yes you can move forward with the Sect 10. If a hearing is granted we will need time to go to our council, the earliest possible council date would be in February.

Jayne



From: Julie Alexander [REDACTED]
Sent: Friday, December 20, 2024 4:09:44 PM
To: Jayne Holmes <Jayne.Holmes@guelph.ca>
Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello <[REDACTED]>; Patrick McMahon <[REDACTED]>

Subject: RE: Enbridge Franchise Agreement and City of Guelph

[EXTERNAL EMAIL] This email originates outside the City of Guelph. Do not click links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Jayne,

Thank you for the discussions as well and for your email below on the Franchise Agreement renewal.

However, I am hoping to clarify the City of Guelph's path forward. You have advised below that if the terms that you were directed by Council to negotiate are absent, then there is no approval to proceed with the Franchise Agreement renewal.

Can you please confirm that Enbridge can move forward with the Section 10 application to the OEB? Or does a definitive decision still need to be made at the next Council meeting in January (or February)?

Thank you,
Julie

From: Jayne Holmes <Jayne.Holmes@guelph.ca>

Sent: Friday, December 20, 2024 3:47 PM

To: Julie Alexander [REDACTED]; Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>

Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello [REDACTED]; Patrick McMahon <[REDACTED]>

Subject: [External] RE: Enbridge Franchise Agreement and City of Guelph

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Hi Julie,

Thanks for the discussions today and clarification of the potential paths this issue may take.

I confirm that Council directed staff to negotiate those terms into the Franchise Agreement. Absent those terms, we do not have approval to proceed with the franchise renewal. Should this proceed to a hearing, to the extent Enbridge has the ability to influence, we would appreciate reasonable timing to allow staff to obtain instructions from our council and then prepare materials.

Jayne

Jayne Holmes, P.Eng., PMP
Deputy Chief Administrative Officer
Infrastructure, Development and Environment
City of Guelph

519-822-1260 extension 2248
Mobile 226-820-2705

jayne.holmes@guelph.ca

guelph.ca

[Facebook.com/cityofguelph](https://www.facebook.com/cityofguelph)

@cityofguelph

My work hours may not match yours, and I do not expect you to respond outside your working hours.

From: Julie Alexander [REDACTED] <[REDACTED]>

Sent: Tuesday, December 17, 2024 11:48 AM

To: Jayne Holmes <Jayne.Holmes@guelph.ca>; Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>

Cc: Terry Gayman <Terry.Gayman@guelph.ca>; Kyle Gibson <Kyle.Gibson@guelph.ca>; Murray Costello [REDACTED]; Patrick McMahon <[REDACTED]>

Subject: Enbridge Franchise Agreement and City of Guelph

[EXTERNAL EMAIL] This email originates outside the City of Guelph. Do not click links or attachments unless you recognize the sender and know the content is safe.

Good morning Jayne,

Thank you for meeting with us today to discuss the next steps in the Franchise Agreement renewal process.

Further to our discussions today and the November 26, 2024 resolution of council related to the franchise agreement, it appears that the City of Guelph will only execute a new franchise agreement with Enbridge Gas if it contains provisions to:

- a. Allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges.
- b. Ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure.
- c. Ensure future charges for use of municipal property are not passed on to Guelph customers of the gas distribution company .

As explained in previous meetings and again today, Enbridge Gas does not support the requested amendments to the model franchise agreement . Our intention is to submit an application to the Ontario Energy Board as soon as possible for approval of a model franchise agreement without amendments knowing that the City of Guelph is not in agreement.

If you could confirm that this accurately describes the position of the City of Guelph, we can move forward with an application to the Ontario Energy Board.

We would appreciate your response no later than noon on Friday December 20, 2024.

Kind regards,

Julie

This is Exhibit "1", Tab "2", Schedule "5" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 5

PO -- 100 City of Guelph

Tuesday June 17, 2025 16:24

Po No	Po Type	Po Status	Buyer	Vendor Code	Vendor Name	Total Amount	Required Date	Po Desc	
1902659	O	CLOSED	FIN	10509	UNION GAS	4938.22	22-Feb-19	GMHI Development Corporation Union Gas - Service for Account 440-1050 282-0434 January 11, 2019 - February 12, 2019	
								151 Victoria Rd. Union Gas. - Description of Signal to be Provided: • Corrected volume signal via dry contact closure, maximum 0-6 VDC, maximum 0-50mA • For mini-max and closure rate 0.0625b to 1sec • Note: Customer to provide #12 ground wire required back to Grounding Bus.	
1706551	C	CANCELED	LEM	10509	UNION GAS	600	3-May-17		
1416494	O	CLOSED	LDE	40465	UNION GAS	1082.91	30-Oct-14	Repair line strike at 64 Forbes Ave. on Sep 15/14. Inv #P140949, Oct 9/14.	
1218727	C	CLOSED	CPI	10508	UNION GAS - REMIT TO ONLY	60031	13-Nov-12	Costs for Natural Gas service to 285 Hanlon Creek Blvd.	
1210751	C	CLOSED	JWE	10509	UNION GAS	5704	27-Jun-12	Upgrading the Main Fire Hall Station to accommodate the generator and supply 2fs pressure.	NOT USED
1117429	O	CANCELED	DZI	10508	UNION GAS - REMIT TO ONLY	53.44	17-Oct-11	GAS SERVICES AT 14 EDINBURGH RD. SOUTH - REALTY SERVICES	
1104469	O	CLOSED	NCL	10509	UNION GAS	4375.53	10-Mar-11	Gas relocation: Norfolk St. Retaining Wall as per Ike Umar	
1008914	C	CLOSED	AAR	10508	UNION GAS - REMIT TO ONLY	16763.82	10-Jun-10	Relocate NPS 4 Intermediate pressure steel gas main 1.2m deeper to allow for new driveway entrance to Civic Museum off Cort St. W., City of Guelph - contract 08-079	
919203	O	CLOSED	NCL	10508	UNION GAS - REMIT TO ONLY	11862.53	13-Nov-09	College Ave - Powerhouse Lane as per Ike Umar	
711745	O	CLOSED	NCL	10508	UNION GAS - REMIT TO ONLY	31800.57	26-Jul-07	Payment for work done by Union Gas due to road work. Watson Road Widening	NOT USED
513059	O	CLOSED		10508	UNION GAS - REMIT TO ONLY	157.37	17-Oct-05	Union Gas bill for Aug 29 - Sept 28 '05	
415860	O	CLOSED		40465	UNION GAS	392.69	17-Dec-04	Contractor services	
102792	C	CLOSED		10508	UNION GAS - REMIT TO ONLY	5152.65	3-Mar-01	NO DESCRIPTION - ENVIRONMENT AND TRANSPORTATION	
12263	P	CLOSED		84026	UNION GAS	285.84	16-Nov-00	NO DESCRIPTION - MEMORIAL GARDENS	
9383	O	CLOSED		84026	UNION GAS	5000	31-Aug-00	NO DESCRIPTION - ENVIRONMENT AND TRANSPORTATION	NOT USED
4353	C	CLOSED		84026	UNION GAS	5600	5-May-00	NO DESCRIPTION - ENVIRONMENT AND TRANSPORTATION	NOT USED

Po No	Po Type	Po Status	Buyer	Vendor Code	Vendor Name	Total Amount	Required Date	Po Desc	
2412393	C	CLOSED	OBI	10510	ENBRIDGE GAS LTD	36972.46	28-Nov-24	Baker Street Library-55 Baker Street	
2412191	C	CANCELED	OBI	10510	ENBRIDGE GAS LTD	36972.46	28-Nov-24	Baker Street Library-55 Baker Street	
1012663	C	CLOSED	PK	10510	ENBRIDGE GAS LTD	25072.31	25-Aug-10	Relocate existing gas main in conflict with Spedvale Ave E. reconstruction for ISF Project: Speedvale: Stevenson to East City Limit per Project Mgr: Andrew Jones	
1007338	C	CLOSED	PK	10510	ENBRIDGE GAS LTD	18885.19	11-May-10	Gas main relocation on Maltby Rd for ISF Project: Maltby Rd: Gordon to Hanlon Per Project Mgr: Brad Hamilton	
703063	C	CLOSED	GFE	10510	ENBRIDGE GAS LTD	20552	23-Feb-07	To supply equipment, materials and labour to lower and replace the six (6) inch, (150 mm) steel gasmain on Victoria Road as outlined in your estimate dated January 25, 2007. Estimated cost to The City is \$20,552.00 plus GST.	NOT USED
612814	C	CLOSED		10510	ENBRIDGE GAS LTD	19283.88	13-Sep-06	847.0m of NPS 4 Plastic Intermediate Pressure Gas Main replaced due to conflict with Victoria Road re-construction. Install Complete Date: 29-June-2006. installed 4.0m off P/L of new road allowance	
612206	C	CLOSED		10510	ENBRIDGE GAS LTD	350	7-Sep-06	Lower gas service at 410 Clair Road West for Contract No. 2-0608	NOT USED
414996	C	CLOSED		10510	ENBRIDGE GAS LTD	4000	29-Nov-04	request for Andrew Jones	NOT USED
13031	C	CLOSED		67603	ENBRIDGE INTEGRATED BUILDING TECHNOLOGIES INC.	616	5-Dec-00	SERVICE FOR BUILDING AUTOMATION SYSTEMS AS PER INVOICE # 1-00X593	
3709	O	CLOSED		67603	ENBRIDGE INTEGRATED BUILDING TECHNOLOGIES INC.	307.5	8-Apr-00	SERVICE BUILDING AUTOMATION SYSTEM AS PER INVOICE SERVICE REPORT #1988	
3509	O	CLOSED		67603	ENBRIDGE INTEGRATED BUILDING TECHNOLOGIES INC.	280.37	6-Apr-00	TROUBLE SHOOT AUTOMATION SYSTEM AT EVERGREENS CENTER AS PER INVOICE 1-00X121	
9908683	O	CLOSED		67603	ENBRIDGE INTEGRATED BUILDING TECHNOLOGIES INC.	82.26	9-Sep-99	UPGRADES TO ENERGY MANAGEMENT SYSTEM AS PER W/O 1-99X255	NOT USED
9908267	O	CLOSED		67603	ENBRIDGE INTEGRATED BUILDING TECHNOLOGIES INC.	76.88	27-Aug-99	service call to re-boot building automation system	
9905504	C	CLOSED		67603	ENBRIDGE INTEGRATED BUILDING TECHNOLOGIES INC.	12880	16-Jul-99	PHASE TWO FOR BUILDING ENERGY MANAGEMENT CONTROL SYSTEM RETROFIT AT CENTENNIAL ARENA	

This is Exhibit "1", Tab "2", Schedule "6" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

Type text h

TAB 2

Schedule 6

30	\$271,590.00
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This is Exhibit "1", Tab "2", Schedule "7" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 7



Alfred Fach Excavating Ltd.

Wednesday, June 25, 2025

City of Guelph

Tender No: 21-003 Manitoba Street Gas Main Disconnect

Dates on site: June 23/21 Fach Ticket #006958

-Foremen, 4.0hrs x \$70.00	\$280.00
26,000kg Excavator, 4.0 hrs x \$173.25	\$693.00
26,000kg Excavator, 4.0 hrs x \$173.25	\$693.00
127kW Loader, 4.0 hrs x \$137.40	\$549.60
2-Pipe Layers 8.0hrs x \$60.00	\$480.00
-Dump Truck, 4.0hrs x \$155.90	\$623.60
-Compaction equipment, 4hrs x 95.00	\$380.00

Dates on site: June 23/21 Fach Ticket #006958

Hand dug abandoned gas services behind to Ontario St

-Foremen, 1.0hrs x \$70.00	\$70.00
26,000kg Excavator, 1.0 hrs x \$173.25	\$173.25
26,000kg Excavator, 1.0 hrs x \$173.25	\$173.25
127kW Loader, 1.0 hrs x \$137.40	\$137.40
2-Pipe Layers 2.0hrs x \$60.00	\$120.00
-Compaction equipment, 1hrs x 95.00	\$95.00

Total \$4468.10 plus HST

Andrew Fach

Alfred Fach Excavating

[REDACTED]

[REDACTED]

This is Exhibit "1", Tab "2", Schedule "8" referred to in the Affidavit of Kyle Gibson sworn by Kyle Gibson of the City of Guelph, in the Regional Municipality of Wellington, before me at the City of Toronto, in the Province of Ontario, on June 19, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits (or as may be)

KAELEIGH ("KIP") PHILLIPS

TAB 2

Schedule 8

"Pipe Rem. Qty"

DPC1		B. 5	B. 10
	STM @ ARTHUR 2+005 - 2+063.8	58.8	
	WM @ WOODS		3.6m
	TOTAL	58.8m ✓	3.6m ✓
PPC 2	STM @ ARTHUR 2+063.8 - 2+155	91.2m	
	STM @ MH 9-10	7.3m	
	STM @ MU 7-8	8.1m	
	STM @ 1+025 - 1+030 (K&R For SAN. B. PASS)	5.0m	
	SAN @ MANITOBA 1+067 - 1+148.3	141.3m	
	UNK PIPE (STEEL 75mm Ø) 1+015 - 1+131.7	105.7m	
	TOTAL	358.6m ✓	Ø —
PPC 3	SAN @ MANITOBA 1+148.3 - 1+265	116.7m	
	STM @ MANITOBA 1+015 - 1+197	182.0m	
	W/M @ MANITOBA 1+015 - 1+255	240.0m	240.0m
	W/M FM LEAD	5.1m	5.1m
	UNK PIPE 1+131.7 - 1+255	123.3m	123.3m
	QHS PIPE X-WAYS 8 x 4.6m (Avg)		36.8m
	TOTAL	298.7 (-81.9m)	415.2m ✓