



Ontario  
Energy  
Board | Commission  
de l'énergie  
de l'Ontario

**BY EMAIL**

July 14, 2025

**TO: All Parties in EB-2025-0058**

**RE: Enbridge Gas Inc.**

**Application for the Renewal of a Municipal Franchise Agreement with, and  
a Certificate of Public Convenience and Necessity for, the City of Guelph  
Ontario Energy Board File Number: EB-2025-0058**

Procedural Order No.3 was issued on June 13, 2025, and set the date for the filing of intervenor evidence for July 2, 2025. Evidence was filed by the City of Guelph and eMerge Guelph.

Enbridge Gas filed a letter on July 10, 2025 requesting that the OEB reject and strike from the record certain portions of the intervenor evidence. On July 11, 2025, eMerge Guelph filed a letter in response stating that all of the evidence filed is in scope and requested an opportunity to respond to Enbridge Gas' letter. eMerge Guelph further noted that a request to strike evidence should come in the form of a motion under rule 8 of the OEB's Rules of Practice and Procedure, and that under such a motion the OEB would ordinarily set out a process for submissions.

On July 14, 2025, the City of Guelph filed a letter with the OEB which made similar points to those made by eMerge Guelph. The City of Guelph further noted that it had in error filed certain materials twice and accordingly asked the OEB to remove the materials that it filed on June 11, 2025 from the record.

The OEB has been clear that this is not a generic proceeding on the Model Franchise Agreement, and that it will only hear matters that are specific to the application currently before it – specifically, whether there are compelling reasons for the City of Guelph to deviate from the Model Franchise Agreement's terms and conditions.

In the interests of efficiency, and as a formal motion has not been filed, the OEB will not be establishing a new process to determine whether parts of the evidence filed by eMerge Guelph and the City of Guelph are out of scope.

The OEB will continue with the process as set out in Procedural Orders 1-3.

However, if Enbridge Gas wishes to make submissions about the relevance of the evidence in final argument it may do so. The OEB may also consider the relevance of the evidence filed, and the extent to which it may disregard the OEB's instructions regarding the scope of the proceeding, when it considers cost awards at the conclusion of the proceeding.

Yours truly,

Ritchie Murray  
Acting Registrar