



**Evan Tomek**  
Senior Advisor  
Regulatory Applications - LTC  
Regulatory Affairs

tel (226) 229-9598  
Evan.Tomek@enbridge.com  
EGRegulatoryProceedings@enbridge.com

**Enbridge Gas Inc.**  
3840 Rhodes Drive  
P.O. Box 700  
Windsor, ON N9A 6N7  
Canada

July 14, 2025

**VIA EMAIL and RESS**

Ritchie Murray  
Acting Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> floor  
P.O. Box 2319  
Toronto, Ontario, M4P 1E4

Dear Ritchie Murray:

**Re: Enbridge Gas Inc. (“Enbridge Gas” or the “Company”)  
Ontario Energy Board (“OEB”) File No.: EB-2025-0073  
Mississauga Reinforcement Project (“Project”)  
Intervenor Status Request - Response of Enbridge Gas**

---

This letter is the response of Enbridge Gas to the late intervention request (“Request”) filed in the above-noted proceeding by Environmental Defence (“ED”) on July 10, 2025.

The OEB should deny the Request on the grounds that the proposed intervenor has failed to demonstrate a substantial interest in this proceeding. Moreover, the proposed intervenor has (again) disregarded an OEB Notice and the *Rules of Practice and Procedure* (“Rules”) in filing the Request well past the due date established by the OEB. It is also worth noting that the Request is the third version of an intervenor request form from ED ultimately intended for this proceeding. The first was filed under another file number, for an Enbridge Gas application related to the City of Mississauga Certificate of Public Convenience and Necessity (“CPCN”) and the second was filed under this docket but cited completely unrelated issues (apparently related to an electric utility filing).

**ED has not demonstrated a substantial interest in this proceeding**

Rule 22 of the OEB’s Rules reads:

*22.02 The person applying for intervenor status must satisfy the OEB that he or she has a substantial interest and intends to participate responsibly in the proceeding. A person has a substantial interest if they have a material interest that is within the scope of the proceeding; for example, a person that: (i) primarily represents the direct interests of consumers (e.g., ratepayers) in relation to services that are regulated by the OEB; (ii) primarily represents an interest or policy perspective relevant to the OEB’s mandate and to the proceeding; or (iii) has an interest in land that is affected by the proceeding. Examples of participation include participating in discovery, making submissions, and filing evidence.*

In its Request, ED has set out four issues that it intends to explore:

- Whether the project economics are consistent with OEB guidelines, including testing of the figures underlying the project economics;
- Whether the pipeline sizing and project timing is appropriate;
- Whether the project is consistent with Enbridge's plans relating to hydrogen, including the potential use with 100% hydrogen; and
- Whether IRP screening has been carried out appropriately.

In Enbridge Gas' view, the issues raised by ED are either not connected with the mandate and objectives of ED (as set out in its annual filing) or not relevant to the issues before the OEB in this proceeding and they fail to demonstrate that ED has a substantial interest.

*Issue #1: Project economics*

ED does not represent ratepayers and does not represent the customers impacted by the Project. In any event, the economic analysis for the Project was completed in accordance with the OEB's recommendations in its E.B.O. 188 Report on Natural Gas System Expansion<sup>1</sup>. Importantly, the Project is economically feasible as Enbridge Gas has executed long-term firm service contracts with Petro-Canada Lubricants Inc., CRH Canada Group Inc., and CertainTeed Canada Inc. ("Customers") to fully fund the cost of the Project<sup>2</sup> and it therefore will not result in additional costs borne by existing ratepayers<sup>3</sup>.

*Issue #2: Pipeline sizing and project timing*

As outlined in evidence, pipeline sizing and project timing is driven entirely by the Customers' requests for incremental natural gas service. As noted, ED does not represent the Customers or ratepayers. Nor does ED have a mandate or expertise related to pipeline design and sizing specific to a group of customers that would be relevant to this proceeding.

ED states in their Request that they "represent the public interest in environmental protection and the interests of ratepayers who want both clean and affordable energy." Notwithstanding that ED may ultimately support the Project because it is anticipated to enable the Customers to reduce their air emissions, it remains the view of Enbridge Gas that as the project sizing and timing is being driven entirely by the Customers' requirements, there is no basis for ED's intervention on this issue.

*Issue #3: Plans relating to hydrogen*

As stated above, the Project is a result of the Customers' request for incremental natural gas service and the Customers have executed service contracts to underpin the

---

<sup>1</sup> Exhibit E, Tab 1, Schedule 1, para. 5.

<sup>2</sup> Exhibit B, Tab 1, Schedule 1, para. 12.

<sup>3</sup> Exhibit E, Tab 1, Schedule 1, para. 7.

services they are requesting. Furthermore, as Enbridge Gas has indicated in previous proceedings,<sup>4</sup> while the Company is undertaking a Grid Study to determine the technical feasibility of higher blends of hydrogen into the distribution system, it has no current plans to operate any portions of its system at 100% hydrogen.

Therefore, it is not relevant to consider the use of hydrogen in the Project.

#### *Issue #4: IRP screening*

The IRP screening for the Project has been carried out appropriately and is clearly described in Exhibit C, Tab 1, Schedule 1. The Project meets the definition of a Customer-Specific Build as defined in the Integrated Resource Planning Framework for Enbridge Gas<sup>5</sup> and is therefore exempt from further IRP considerations. There is no open issue in this proceeding related to IRP for which ED should be afforded an opportunity to participate.

#### **Late Intervention Request in this Proceeding**

A Notice of Hearing was issued by the OEB in this proceeding on June 2, 2025. The Notice required all applications for intervenor status to be submitted on or before June 23, 2025. Enbridge Gas staff planned its work and resourcing in this proceeding, in part, around this date.

ED filed its intervention request on July 8, 2025. The July 8 request raised issues clearly unrelated and not relevant to the Project.<sup>6</sup> ED refiled the amended Request on July 10, 2025.

Procedural rules are designed to ensure fair and consistent decision-making. In summary, ED filed two deficient intervention requests in two different Enbridge Gas proceedings and only resolved the deficiencies following investigation by the Company. This confusing sequence of events, more than two weeks after the intervention request deadline, demonstrates a lack of regard for an efficient regulatory process by ED.

The OEB has long held the view that a fair intervenor process is critical to regulatory efficiency (see, for example: EB-2022-0111). The Minister of Energy and Electrification (“Minister”) has also clearly indicated support for steps that will support greater regulatory efficiency. In the Minister’s December 19, 2024 renewed Letter of Direction to the OEB, the Minister highlighted his expectation that the OEB ensure intervenors are cost effective, efficient and in the public interest, stating (at page 8):

---

<sup>4</sup> EB-2024-0200, Exhibit I.2-STAFF-18 and EB-2022-0200, Exhibit 4, Tab 2, Schedule 6, pp 16-20.

<sup>5</sup> EB-2020-0091, Decision and Order, July 22, 2021, Appendix A, p. 10.

<sup>6</sup> The Request was only submitted by ED after they had applied for intervention in respect of different Enbridge Gas application (for a new CPCN for the City of Mississauga, EB-2025-0188). By email dated July 8, 2025, Enbridge Gas wrote to ED to seek clarity over whether it intended to intervene in EB-2025-0188 or in this proceeding. ED confirmed that this was indeed their intention. ED then filed the July 8, 2025 intervention request alluding to the fact that their intervention request in a “different proceeding in Mississauga” was done by mistake, and subsequently withdrew their intervention request in the EB-2025-0188 proceeding.

*Keep my office and ministry informed on the progress of implementing the 10-point action plan outlined in the OEB's report Back dated September 27, 2024 on Intervenor and Regulatory Efficiency. I also expect that the OEB management and staff will provide assistance, as appropriate, to Commissioners **by being proactive and diligent in ensuring that such report recommendations – and other good practices for ensuring intervenors are cost effective, efficient and in the public interest – are followed**, and that Commissioners are transparently advised, as appropriate given the independence of their adjudicative role, where staff believe improvements are required, **or intervenors need to be limited or directed** (emphasis added).<sup>7</sup>*

## **Conclusion**

As explained above, ED has not demonstrated it has a substantial interest in the proceeding in accordance with section 22 of the OEB's *Rules of Practice and Procedure*.

Moreover, ED's intervention was filed late and in a confusing and initially erroneous manner. The OEB should deny ED's Request for these reasons, in consideration of regulatory efficiency, procedural fairness and ratepayer costs.

Please contact me if you have any questions.

Yours truly,

*Evan Tomek*

Evan Tomek  
Senior Advisor, Regulatory Applications – Leave to Construct

Cc: Tania Persad (Enbridge Gas Legal Counsel)  
Arend Wakeford (Enbridge Gas Legal Counsel)  
Judith Fernandes (OEB Case Manager)  
Ritchie Murray (OEB Acting Registrar)  
Amanda Montgomery (Elson Advocacy)

---

<sup>7</sup> Renewed Letter of Direction from the Ministry of Energy and Electrification to the OEB Chair, December 19, 2024, p. 8 ([link](#)).