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BY EMAIL

July 16, 2025

Ritchie Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ritchie Murray:

**Re: Enbridge Gas Inc.
Application for Approval to Renew its Franchise Agreement with, and certificate
for, the City of Guelph
OEB File Number: EB-2025-0058**

In accordance with Procedural Order No. 3, please find attached Ontario Energy Board (OEB) staff's interrogatories in the above proceeding. The applicant and intervenors have been copied on this filing. The City of Guelph and eMerge Guelph's responses to the interrogatories are due by July 30, 2025.

Any questions relating to this letter should be directed to Natalya Plummer at natalya.plummer@oeb.ca or at 416-440-7654. The OEB's toll-free number is 1-888-632-6273.

Yours truly,

Natalya Plummer
Advisor

Encl.

**OEB Staff Interrogatories
The City of Guelph and eMerge Guelph
EB-2025-0058**

Please note, The City of Guelph and eMerge Guelph are responsible for ensuring that all documents it files with the OEB, including responses to OEB staff interrogatories and any other supporting documentation, do not include personal information (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's *Rules of Practice and Procedure*.

The City of Guelph Evidence

OEB STAFF - 1

Reference: Procedural Order No.1, March 13, 2025
City of Guelph Evidence, July 2, 2025, Exhibit 1

The City of Guelph has filed its Community Energy Plan, Community Energy Initiative, Corporate Commitment to Achieve 100% Renewable Energy by 2050, Commitment to the Race to Zero Climate Pledge, Community Call to Climate Action report, Indigenous Relations Framework, Strategic Plan and Official Plan.

Procedural Order No.1 stated "The scope of this proceeding will be focused on the OEB's consideration of Enbridge Gas's request for a new certificate for the City of Guelph, and Enbridge Gas's request for the renewal of its franchise agreement with the City based on the terms and conditions of the Model Franchise Agreement. This proceeding will consider the views of the City and local residents as to whether there are compelling reasons to deviate from the terms and conditions of the Model Franchise Agreement in this City. Broad issues that may have implications for communities and natural gas consumers across Ontario, which are not specific to the City of Guelph, will not be within the scope of this proceeding."

Question(s):

- a) Please discuss why the issues raised by the City of Guelph in its filed evidence should be addressed in this proceeding and not a generic proceeding on the Model Franchise Agreement.

OEB STAFF - 2

Reference: City of Guelph Intervention Request form, February 24, 2025
Report of the Ontario Energy Board, “Natural Gas Facilities Handbook”,
EB-2022-0081, March 31, 2022

The City of Guelph’s intervention form states that it proposes revisions to the Model Franchise Agreement in furtherance of the following objectives:

- to provide for flexibility in the event of change in law, including to allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 under the Municipal Act, 2001 is amended to allow such charges;
- ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure; and
- advocate that any future charges for use of municipal property are not passed on to Guelph customers of the gas distribution company.

As noted in the OEB’s Natural Gas Facilities Handbook, “The Model Franchise Agreement provides a template to guide applicants and municipalities regarding the terms that the OEB finds reasonable under the *Municipal Franchises Act*.”

Question(s):

- a) Please discuss which specific terms and conditions of the Model Franchise Agreement the City of Guelph seeks amendments to. Please also discuss any unique circumstance(s) about the City of Guelph that warrant a deviation from the terms and conditions in the Model Franchise Agreement.
- b) Please confirm that the City of Guelph is requesting approval to unilaterally change the Model Franchise Agreement if there are any changes in law related to charging fees without coming to the OEB. If confirmed, please describe how this is consistent with the provisions of the *Municipal Franchises Act*.

OEB STAFF - 3

Reference: City of Guelph Evidence, July 2, 2025, Exhibit 1, Tab 2, Schedule 5
City of Guelph Evidence, July 2, 2025, Exhibit 1, Tab 2, Schedule 6
City of Guelph Evidence, July 2, 2025, Exhibit 1, Tab 2, Schedule 7
City of Guelph Evidence, July 2, 2025, Exhibit 1, Tab 2, Schedule 8
Decision and Order, Application for Approval of a Municipal Franchise Agreement with, and Certificate Amendment for, the Municipality of Leamington, EB-2022-0201, March 30, 2023

The City of Guelph has filed evidence pertaining to the costs of relocations and repairs of Enbridge Gas Lines, a list of abandoned Enbridge Gas Lines, an invoice for repairs

and additional work for the Manitoba Street Reconstruction and Inspector notes for the removal of gas lines for the Manitoba Street Reconstruction.

As outlined in the City of Guelph's intervention request and filed evidence, the City of Guelph seeks modified conditions pertaining to infrastructure relocations and the cost sharing provisions in the Model Franchise Agreement.

In the franchise proceeding for the Municipality of Leamington, the OEB stated that "The standard terms that address cost-sharing in the Model Agreement were developed to provide certainty and resolve any dispute in an equitable manner." The OEB also stated that "the Model Agreement, in general, as best meeting the public interest by providing fair treatment of both the civic duties of the Municipality and the fair treatment of Enbridge Gas's ratepayers. This is preferable to a piecemeal approach of negotiating terms specific to a franchise."

Question(s):

- a) The cost-sharing provisions and conditions pertaining to infrastructure relocations in the Model Franchise Agreement apply uniformly across the province. Please discuss why it would be in the public interest for the OEB to approve modified cost-sharing provisions and infrastructure relocation provisions for the City of Guelph.

eMerge Guelph Evidence

OEB STAFF - 1

Reference: Procedural Order No.1, March 13, 2025
eMerge Guelph Evidence, July 2, 2025 Affidavit of Robert Blakeney
eMerge Guelph Evidence, July 2, 2025 Affidavit of Evan Ferrari
eMerge Guelph Evidence, July 2, 2025 Affidavit of Indigo Moran

Preamble:

Procedural Order No.1 stated "The scope of this proceeding will be focused on the OEB's consideration of Enbridge Gas's request for a new certificate for the City of Guelph, and Enbridge Gas's request for the renewal of its franchise agreement with the City based on the terms and conditions of the Model Franchise Agreement. This proceeding will consider the views of the City and local residents as to whether there are compelling reasons to deviate from the terms and conditions of the Model Franchise Agreement in this City. Broad issues that may have implications for communities and natural gas consumers across Ontario, which are not specific to the City of Guelph, will not be within the scope of this proceeding."

Question(s):

- a) Please discuss which specific terms and conditions of the Model Franchise Agreement to which eMerge Guelph seeks amendments.
- b) Please discuss how the issues raised in the filed affidavits are unique to the City of Guelph and warrant deviation from the terms and conditions of the Model Franchise Agreement.