



Enbridge Gas Inc.

**Application for leave to construct natural gas pipeline
and associated facilities in the Town of Oakville and the
City of Mississauga.**

**PROCEDURAL ORDER NO. 1
July 24, 2025**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on May 9, 2025, under section 90(1) of the *Ontario Energy Board Act, 1998*, for an order granting leave to construct approximately 3.1 kilometres of natural gas pipelines and related assets to meet the requests of existing customers, Petro-Canada Lubricants Inc. (PCLI), CRH Canada Group Inc., and CertainTeed Canada Inc. for incremental natural gas service (Project). Enbridge Gas has also applied to the OEB for approval of the form of land-use agreements it offers to landowners for the routing and construction of the project.

The application will be heard by the following panel of Commissioners: Robert Dodds (presiding), Anthony Zlahtic, and Patrick Moran.

A Notice of Hearing was issued on June 2, 2025, with a June 23, 2025 deadline for requesting intervenor status.

Intervention Request of Federation of Rental-housing Providers of Ontario

By letter dated June 23, 2025, Federation of Rental-housing Providers of Ontario (FRPO) applied for intervenor status and cost eligibility.

Enbridge Gas filed a letter dated June 26, 2025, stating that FRPO's request does not provide any information about how FRPO is materially impacted by the proceeding; the specific issues that are expected to be the subject of the intervention; and how those issues may be relevant. Enbridge Gas also submitted that the request does not satisfy the OEB's intervenor process and does not meet the OEB's substantial interest test.

FRPO filed a letter withdrawing its intervention request on July 4, 2025.

Intervention Request of the Industrial Gas Users Association

On July 3, 2025, after the close of the intervention period, the Industrial Gas Users Association (IGUA) filed a request for late intervenor status and cost award eligibility.

In its intervention request, IGUA noted that one of the customers to be served by the natural gas pipeline, namely PCLI, is an IGUA member. Enbridge Gas did not object to IGUA's intervention request.

IGUA is approved as an intervenor and is eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

Intervention Request of Environmental Defence

On July 8, 2025, Environmental Defence Canada (Environmental Defence) filed a request for late intervenor status and cost award eligibility. The request contained errors. Environmental Defence filed an updated request on July 10, 2025.

In its most recent frequent intervenor filing, Environmental Defence says it represents both the public interest in environmental protection and the interests of consumers whose energy bills can be reduced through measures that lower both costs and environmental impacts.¹

In its updated intervention request, Environmental Defence stated that it represents the public interest in environmental protection and the interests of ratepayers who want both clean and affordable energy. With respect to the current proceeding, Environmental Defence stated that it intends to explore the following issues:

- 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 are appropriate
- Whether the Project is consistent with Enbridge Gas's plans relating to hydrogen, including the potential use with 100% hydrogen
- Whether Integrated Resource Planning (IRP) screening has been carried out appropriately

¹ <https://www.rds.oeb.ca/CMWebDrawer/Record/871588/File/document>

In a letter dated July 14, 2025 (Objection Letter), Enbridge Gas submitted that the OEB should deny Environmental Defence's request on the grounds that it has failed to demonstrate a substantial interest in this proceeding and that the request was filed well past the due date.

In its Objection letter, Enbridge Gas cited Rule 22.02 of the OEB's [Rules of Practice and Procedure](#), which states:

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 Objection letter, Enbridge Gas submitted, among other things, that:

- Environmental Defence does not represent ratepayers and does not represent the customers impacted by the Project and that, in any event, the Project is economically feasible as Enbridge Gas has executed long-term firm service contracts with the Customers to fully fund the cost of the Project
- Pipeline sizing and project timing are driven entirely by the Customers' requests for incremental natural gas service, and that Environmental Defence does not have a mandate or expertise related to pipeline design and sizing specific to a group of customers that would be relevant to this proceeding
- Enbridge Gas is undertaking a Grid Study to determine the technical feasibility of higher blends of hydrogen in the distribution system, it has no current plans to operate any portions of its system at 100% hydrogen, and therefore it is not relevant to consider the use of hydrogen in the Project
- The Project meets the definition of a Customer-Specific Build as defined in the [IRP Framework for Enbridge Gas](#) and is therefore exempt from further IRP considerations

- Environmental Defence's intervention requests were a confusing sequence of events, filed more than two weeks after the intervention request deadline, and demonstrated a lack of regard for an efficient regulatory process

On July 16, 2025, Environmental Defence filed its reply to the Objection Letter. Environmental Defence reiterated that it represents the public interest in environmental protection and the interests of ratepayers who seek both clean and affordable energy, and that those ratepayer and policy interests are directly implicated in this proceeding. Among other things, Environmental Defence submitted that:

- For over a decade, Environmental Defence has focused on issues at the OEB where the environmental and economic interests are aligned, and Environmental Defence has been granted intervenor status and actively participated in many cases regarding leave to construct
- The Project economics are relevant to the public interest in climate protection because they determine whether there will be a cross-subsidy from the existing customer base in favour of the construction of fossil fuel infrastructure
- Although Enbridge Gas argues that the proposed pipelines will reduce carbon emissions by displacing more harmful fossil fuels, this argument has not been tested
- It is valid to explore whether the pipelines are "future proofed" in terms of potential conversion to 100% hydrogen
- Any decision on IRP screening and future-proofing the pipeline with respect to 100% hydrogen would benefit from evidence and argument
- Environmental Defence's late intervention request was the result of internal miscommunication on its part, and disallowing it would be inconsistent with OEB practice of allowing late requests where they would not cause prejudice or undue delay

The OEB's standard [Leave to Construct Issues List](#) includes issues related to project alternatives (including project timing and the use of IRP), project cost and economics, and environmental impacts. Environmental Defence intends to explore project economics, pipeline sizing, project timing, and hydrogen readiness. Although Environmental Defence does not represent ratepayers, the OEB is satisfied that Environmental Defence primarily represents an interest or policy perspective relevant to the OEB's mandate and to the proceeding.

Enbridge Gas submits that the Project meets the definition of a Customer-Specific Build and is therefore exempt from further IRP considerations. The OEB notes that it has permitted IRP-related interrogatories and submissions in past proceedings despite a project being identified through screening as a Customer-Specific Build.² The OEB will not exclude IRP-related interrogatories and submissions in the current proceeding at this time.

The OEB acknowledges the views expressed by Enbridge Gas regarding Environmental Defence's multiple late intervention requests. However, the OEB accepts Environmental Defence's explanation and does not consider this instance to demonstrate a lack of regard for an efficient regulatory process.

Environmental Defence is approved as an intervenor. Environmental Defence is eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

Parties should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues and that they made reasonable efforts to coordinate their participation to avoid duplication.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

Request for Confidentiality

Enbridge Gas has requested confidential treatment for personal information in the Environmental Report (Exhibit F/Tab 1/Schedule 1/Attachment 1) and in the Landowner Lists (Exhibit G/Tab 1/Schedule 1/Attachment 4).

The OEB has reviewed Enbridge Gas's request for the redaction of personal information. The OEB finds that the redacted information in the Environmental Report (Exhibit F/Tab 1/Schedule 1/ Attachment 1) and in the Landowner Lists (Exhibit G/Tab 1/Schedule 1/ Attachment 4) is personal information as defined in the Freedom of Information and Protection of Privacy Act (FIPPA) and the OEB's

² E.g., Enbridge Gas Ridge Landfill RNG EB-2022-0203 and Enbridge Gas Scarborough Subway Extension EB-2023-0260

[Practice Direction on Confidential Filings](#) (Practice Direction). Therefore, the information regarding property owners shall remain redacted and shall not be provided to the intervenors in this proceeding.

Enbridge Gas has also requested confidential treatment for certain information relating to load profiles and energy usage contained in the long-term service contracts it has executed with the Customers (Exhibit B/Tab 1/Schedule 1/Attachments 12, 13 and 14) on the grounds that the information is presumptive confidential information.

At this time, provision will be made for the filing of submissions on Enbridge Gas's confidentiality request. Parties that wish to file submissions and reply submissions should refer to the timelines set out in sections 5.1.6 to 5.1.8 of the Practice Direction. Parties will be provided access to the confidential documents in accordance with the process outlined in Part 6 of Practice Direction.

Interrogatories and Submissions

At this time, provision is being made for written interrogatories and submissions.

In preparing their interrogatories, parties should refer to the OEB's [standard Issues List](#) for natural gas leave to construct applications. Parties should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

The OEB is making provision for the following related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors who wish to make written submissions on Enbridge Gas's confidentiality request shall file such submissions with the OEB and serve them on all parties by **July 31, 2025**.
2. If Enbridge Gas wishes to respond to any of the submissions, the reply submission shall be filed with the OEB and served on all intervenors by **August 7, 2025**.

3. OEB staff and intervenors shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **August 7, 2025**.
4. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on intervenors by **August 21, 2025**.
5. Any written submissions from OEB staff and intervenors shall be filed with the OEB and served on all parties by **September 4, 2025**.
6. Any written reply submissions from Enbridge Gas shall be filed with the OEB and served on intervenors by **September 18, 2025**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2025-0073** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Judith Fernandes at Judith.Fernandes@oeb.ca and OEB Counsel, James Sidlofsky at James.Sidlofsky@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **July 24, 2025**

ONTARIO ENERGY BOARD

By delegation, before: Ritchie Murray

Ritchie Murray
Acting Registrar

SCHEDULE A
LIST OF APPLICANT AND INTERVENORS
ENBRIDGE GAS INC.
EB-2025-0073
PROCEDURAL ORDER NO. 1
JULY 24, 2025

Enbridge Gas Inc.

EB-2025-0073

APPLICANT & LIST OF INTERVENORS

July 24, 2025

APPLICANT

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Enbridge Gas Inc.

EB-2025-0073

APPLICANT & LIST OF INTERVENORS

July 24, 2025

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