

Elson Advocacy

July 29, 2025

Nancy Marconi

Registrar

Ontario Energy Board

2300 Yonge Street, 27th Floor

Toronto, Ontario M4P 1E4

registrar@oeb.ca

Dear Ms. Marconi

**Re: City of Guelph Franchise Agreement
EB-2025-0058**

I am writing on behalf of eMERGE Guelph Sustainability (eMERGE Guelph) to request that the above-noted proceeding be placed in abeyance until the OEB has confirmed whether it will hold a generic hearing to review the 2000 Model Franchise Agreement. We have conferred with Counsel for the City of Guelph, which has indicated that it would consent to the requested abeyance.

The OEB stated in Procedural Order #1 that it is “considering whether there is a need for a review of generic issues related to the Model Franchise Agreement, and if so, the scope and appropriate timing of any such review.” This raises the realistic possibility that a number of disagreements between the parties in the application before the Board could subsequently be addressed more fully through a generic hearing.

As discussed below, a temporary suspension of the proceedings is appropriate in the circumstances because:

- a. It will improve regulatory efficiency by avoiding duplication; and
- b. There is no prejudice to the Applicant or gas customers.

Improve regulatory efficiency and avoid duplication

The application before the Board has raised a number of disagreements between the parties regarding the proper scope and sequencing of issues under the *Municipal Franchises Act*, the nature of local versus generic factors, as well as the content, role and proper process when considering the terms of the Model Franchise Agreement.

eMERGE Guelph submits that placing the matter in abeyance until the Board decides whether to hold a generic hearing into the Model Franchise Agreement will assist in simplifying and streamlining the proceeding once it is ready to be adjudicated. If some of the above-noted disputes are to be addressed through a generic hearing, it makes sense to wait for the Boards’ full

examination and determinations of those issues to be completed before contemplating their application to the City of Guelph. Otherwise, it is likely that the issues will continue to obscure the proceeding in Guelph and require significant resources from the Board and parties. Further, it is likely that some similar evidence and arguments will be raised in this proceeding as in a potential future generic hearing. This only results in additional costs and resources for the Board, the parties, and ratepayers.

No prejudice to the Applicant

As the Board knows, section 4(c) of the Model Franchise Agreement states that the terms and conditions of the Agreement remain in place while a renewal is being negotiated or until an order is made under section 10 of the *Municipal Franchises Act*. Given that Enbridge seeks no changes to the existing franchise agreement terms, there can be no prejudice to delaying the adjudication of their application under the Act. There will also be no adverse impacts on gas customers in the City of Guelph.

For the foregoing reasons, eMERGE Guelph respectfully requests that the Board place proceeding EB-2025-0058 in abeyance until it has decided whether to hold a hearing into generic issues under the 2000 Model Franchise Agreement.

Yours truly,



Kent Elson

cc: Parties in the above proceeding