



Enbridge Gas Inc.
50 Keil Drive North
Chatham, Ontario, Canada
N7M 5M1

August 8, 2025

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

Dear Mr. Murray:

**Re: Enbridge Gas Inc.
Application for Approval of New Certificate of Convenience and Necessity (CPCN)
Tay Valley Township
Ontario Energy Board (OEB) File No. EB-2024-0342**

Enbridge Gas Inc. (Enbridge Gas) writes in response to the letter dated August 6, 2025 from Climate Network Lanark (CNL) which requests that a technical conference be held in the above-noted proceeding and, alternatively, that Enbridge Gas be directed to provide additional responses to specific interrogatories and additional questions.

For the reasons described below, in Enbridge Gas' view and contrary to CNL's assertions, a technical conference in this administrative proceeding is not warranted and would simply result in regulatory inefficiencies / burdens, and there is no reason to require further discovery in a CPCN hearing that is nearing its final steps so CNL can explore issues that are not germane to this proceeding. Subject to the response due next week from Tay Valley Township to the one interrogatory asked related to their evidence, there is sufficient information on the record to allow parties to proceed to final submissions and for the OEB to make its decision thereafter. Enbridge Gas respectfully submits that the OEB should continue with the schedule set out in Procedural Order No. 3 to ensure the efficient and orderly completion of this hearing.

CNL bases its request for a technical conference on a perceived "contradiction" between wanting to avoid any delays responding to requests for natural gas service in currently unserved areas of Tay Valley Township and there currently being no plans in place related to constructing pipelines in the areas proposed to be added to Enbridge Gas' current CPCN. Rather than a contradiction, Enbridge Gas' view is that this reflects how the utility distribution business works. When a resident or business in a municipality requests a service connection, Enbridge Gas moves to connect that resident or business as soon as practical. While it takes time to put a new service in place, avoiding any delays caused by the requirement to amend a CPCN goes a long way toward meeting the immediate needs of a resident or business in a timely basis.

Further, as noted in Enbridge Gas' interrogatory response at Exhibit EGI-CNL-2(b), the concept of "necessity" under Section 8 of the *Municipal Franchises Act* should not be limited to immediate infrastructure plans. The OEB's consistent practice of aligning CPCNs with municipal boundaries reflects a forward-looking regulatory approach that ensures clarity, avoids overlap, and enables timely service delivery when requested. The absence of current construction plans in the areas proposed to be added to the CPCN does not undermine the public convenience and necessity of the application.

CNL also claims that a technical conference is needed because its additional questions related to the number of customers that Enbridge Gas expects to connect to any existing pipelines in Tay Valley Township over the next 10 years and the number of residents and businesses in Tay Valley Township that are not customers of Enbridge Gas are somehow germane to this administrative application. As we noted again in our follow-up responses to CNL by email on July 17, 2025, as stated at Exhibit EGI-CNL-1(c), there are no immediate plans to construct facilities in the areas proposed to be added to our Tay Valley Township CPCN at this time. Enbridge Gas cannot predict with confidence how many residents or businesses will want to take advantage of the natural gas distribution available within Tay Valley Township over the next decade, and this kind of information is not needed for the OEB to continue its practice of approving new CPCNs that are geographically aligned with municipal borders.

While CNL provides a partial excerpt of s. 3.6.2 from the *Natural Gas Facilities Handbook* in its letter, they have neglected to include the last sentence upon which this current application is based: *[emphasis added]*

3.6.2 Municipal Changes that do not affect another Person's Certificate Rights

*If the boundaries of a person's existing certificate are affected by a municipal amalgamation or annexation, and no other person holds a certificate for any part of the newly amalgamated or annexed municipal territories, then the person should notify the OEB within 90 days of the date that the change takes effect to have the certificate amended to reflect the change. The OEB will not as a matter of course amend the territory covered by the person's existing certificate to include any additional service area that was added to the municipality through the amalgamation or annexation. The certificate would be amended to include the metes and bounds of the person's existing certificate. **However, the certificate holder could also apply for a new certificate that would include any additional service area within the newly amalgamated territories.***

Enbridge Gas has provided full and complete responses to the interrogatories that are relevant to the application before the OEB. Neither an order compelling further disclosure nor a technical conference would lead to a better record from which the OEB can make a decision.

Enbridge Gas reminds the OEB that this application is simply for purposes of updating the applicable CPCN in order to continue to provide efficient and cost-effective service to current and future residents and businesses within Tay Valley Township. Intervenors in this case have already improperly sought to expand the scope of this proceeding and adduced irrelevant evidence on the record, contrary to the OEB's prior procedural directions. Enbridge Gas will address the relevance arguments in final submissions, but for the purposes of this letter, urges the OEB not to entertain the further discovery steps (and resulting delays) sought by CNL.

Should you have any questions on this submission, please do not hesitate to contact me.

Yours truly,

Patrick McMahon
Technical Manager
Regulatory Research and Records
patrick.mcmahon@enbridge.com
(519) 436-5325

cc (email only):

Noelle Reeve, Township of Tay Valley
Kent Elson, Elson Advocacy (Climate Network Lanark)
Kate Siemiatycki, Elson Advocacy (Climate Network Lanark)
Natalya Plummer, OEB