



**Enbridge Gas Inc.**

**Application for exemption from leave to construct  
natural gas pipeline and associated facilities in the  
Township of South Glengarry in the United Counties of  
Stormont, Dundas and Glengarry**

**PROCEDURAL ORDER NO. 3  
November 5, 2025**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on November 7, 2024, under subsection 95(2) of the *Ontario Energy Board Act, 1998*, (OEB Act) for an order exempting Enbridge Gas from the requirement to obtain leave to construct natural gas pipelines and facilities to serve the community of Glendale Subdivision in the Township of South Glengarry in the United Counties of Stormont, Dundas and Glengarry. The proposed project consists of approximately 4.9 km of Nominal Pipe Size (NPS) 2-inch polyethylene (PE) Intermediate pressure (IP) natural gas distribution pipeline, and approximately 720 metres of NPS 4-inch PE IP natural gas distribution pipeline (Project). The Project is expected to cost \$3.7 million and serve approximately 128 customers in the community.

Enbridge Gas relies on section 3.0.1(1) of O. Reg. 328/03 for its application. This regulation authorizes the OEB to make an order under subsection 95 (2) of the OEB Act that exempts a person from the requirement to obtain leave from the OEB under subsection 90 (1). The exemption shall be granted if:

- a) Leave is required only by virtue of clause 90 (1) (b) of the OEB Act;
- b) The proposed hydrocarbon line is projected to cost more than the amount specified (\$2 million) in section 3 for the purposes of that clause but not more than \$10 million; and
- c) The OEB makes a determination that the Crown's duty to consult, if it applies in respect of the application, has been adequately discharged.

On December 10, 2024, the OEB issued a Notice of Hearing to two Indigenous communities identified by the Ministry of Energy and Mines<sup>1</sup>(Ministry) as potentially affected by the Project in a Delegation Letter to Enbridge Gas:

- Huron-Wendat Nation (HWN)
- Mohawk Council of Akwesasne (MCA)

The Notice of Hearing provided an opportunity for each of the identified Indigenous communities to actively participate in the hearing as an intervenor by filing a Notification Letter with the OEB. On January 30, 2025, MCA filed a Notification Letter requesting intervenor status.

On February 19, 2025, the OEB issued Procedural Order No. 1 granting MCA intervenor status in this proceeding. Procedural Order No.1 set the schedule for written discovery on Enbridge Gas's evidence. OEB staff filed interrogatories and Enbridge Gas filed interrogatory responses in accordance with the dates set in Procedural Order No. 1.

On April 22, 2025, the OEB issued Procedural Order No. 2 providing for the filing of written submissions from OEB staff and MCA, as well as for a reply submission from Enbridge Gas.

Following the review of submissions filed by MCA, OEB staff and Enbridge Gas, the OEB determined that placing the application in abeyance was necessary to provide further opportunity for: a) Enbridge Gas and MCA to work together to address the consultation activities identified by MCA in its submission and b) Enbridge Gas to update the Indigenous Consultation Report to demonstrate how any concerns identified by MCA were considered and responded to by Enbridge Gas. The OEB stated that the abeyance would also provide additional time for the filing of the Ministry's letter of opinion. The OEB placed Enbridge Gas's application in abeyance effective July 11, 2025.

On October 8, 2025, Enbridge Gas revised its evidence, filing an updated Indigenous Consultation Report and the Ministry's letter of opinion.

With the issuance of this Procedural Order, the proceeding will be taken out of abeyance.

The OEB is providing an opportunity for MCA and OEB staff to file written comments on the October 8, 2025 evidentiary update and the issue of whether the duty of consult has been adequately discharged in light of that further evidence. The OEB is making provision for the following related to this proceeding.

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<sup>1</sup>Formerly the Ministry of Energy and Electrification

Further procedural orders may be issued by the OEB.

**IT IS THEREFORE ORDERED THAT:**

1. Mohawk Council of Akwesasne and OEB staff shall file any written comments on the updated evidence filed by Enbridge Gas with the OEB and serve them on all other parties by **November 14, 2025**.
2. Enbridge Gas shall file any written comments in response to the comments of Mohawk Council of Akwesasne and OEB staff, if any, with the OEB and serve it on Mohawk Council of Akwesasne, by **November 24, 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-2024-0325** 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](mailto:registrar@oeb.ca) for assistance.

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](mailto:Judith.Fernandes@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca)

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

**DATED** at Toronto, **November 5, 2025**

**ONTARIO ENERGY BOARD**

Ritchie Murray  
Acting Registrar