



Enbridge Gas Inc.

**Application for the Renewal of a Municipal Franchise
Agreement with, and Certificate of Public Convenience
and Necessity for, the City of Guelph**

**PROCEDURAL ORDER NO. 5
December 4, 2025**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on January 6, 2025, for an order under section 8 of the Municipal Franchises Act (Act) for a certificate of public convenience and necessity (certificate) for the City of Guelph and an order under section 10 of the Act renewing its franchise agreement with the City of Guelph based on the terms and conditions of the Model Franchise Agreement, without amendment.

Motion

On August 5, 2025, Elson Advocacy filed a Notice of Motion (Motion) on behalf of eMERGE Guelph Sustainability (eMERGE Guelph) under rule 27 of the OEB's *Rules of Practice and Procedure* seeking an order of the OEB that would require Enbridge Gas to provide full and adequate responses to the following interrogatories: EGI-EMG-5, EGI-EMG-8, EGI-EMG-10, EGI-EMG-11, and EGI-EMG-16. The Motion states that Enbridge Gas has not provided full responses to the noted interrogatories or alternative relevant information where applicable as required by the OEB's *Rules of Practice and Procedure*.

On August 26, 2025, the OEB issued Procedural Order No. 4 which provided parties with the opportunity to make submissions on the Motion.

eMerge Guelph reiterated its position that Enbridge Gas has not provided full and adequate responses to the interrogatories it noted in its Motion and requested an order from the OEB requiring that the information it is requesting be provided.

Enbridge Gas argued that the OEB should dismiss the Motion on the basis that the information that is being sought is irrelevant and out of the scope of this proceeding.

OEB staff submitted that the Motion should be denied as the interrogatory responses provided by Enbridge Gas are sufficient considering the scope of the proceeding.

Findings

The OEB denies the motion filed by eMERGE Guelph. The OEB finds Enbridge Gas's responses to interrogatories EGI-EMG-5, EGI-EMG-8, EGI-EMG-10, EGI-EMG-11 and EGI-EMG-16 appropriate in the light of the scope of this proceeding. The OEB is of the view that these interrogatories either failed to raise issues specific to the City of Guelph that could justify a deviation from the standard terms of the Model Franchise Agreement or were based on speculation of a legislative change that is not reflective of the current circumstances of the application.

Abeyance Request

On July 29, 2025, eMERGE Guelph filed a letter requesting that the OEB place the proceeding into abeyance until the OEB has confirmed whether it will hold a generic hearing to review the Model Franchise Agreement. The letter stated that some of the disagreements between the parties could be more fully addressed through a generic hearing and that a temporary suspension of the proceeding is appropriate in the circumstances because it will improve regulatory efficiency by avoiding duplication and will not prejudice the applicant or gas customers.

On August 1, 2025, Enbridge Gas filed a letter requesting that the OEB deny the request by eMERGE Guelph to place the application into abeyance. In the letter, Enbridge Gas stated that it would be speculative and unproductive to place this proceeding, which is focused on issues specific to the City of Guelph, into abeyance based on the possibility of generic issues being examined at some time in the future.

On October 15, 2025, the OEB issued a letter advising interested stakeholders that it will hold a generic proceeding to review the OEB's Model Franchise Agreement.

On October 16, 2025, the OEB issued a letter inviting the parties in this proceeding to file submissions on what the next steps in this proceeding should be.

Both the City of Guelph and eMerge Guelph argued that the application should be placed in abeyance as the generic proceeding on the Model Franchise Agreement raises the likelihood that a number of the issues to be decided in the proceeding could be addressed more fully through a generic hearing.

The City of Guelph further argued that putting the application in abeyance will ensure greater regulatory efficiency, avoid inconsistent decisions and result in no prejudice to the applicant or customers.

eMerge Guelph further argued that putting the application in abeyance is the best option as it would achieve regulatory efficiency and procedural fairness without creating prejudice to the parties or gas customers.

Enbridge Gas argued that the OEB should continue adjudicating the proceeding because the OEB has all of the information that it needs to make a decision on the Motion and proceeding; the issues raised by the intervenors are outside the scope of the proceeding; the generic review of the Model Franchise Agreement does not impede the OEB's ability to adjudicate franchise and certificate matters; and further delay is contrary to regulatory efficiency and prejudicial to Enbridge Gas.

OEB staff argued that the focus of the franchise renewal is on issues that are specific to the City of Guelph and that the timeframe and scope of a generic hearing have not yet been defined. OEB staff submitted that the OEB should continue the hearing and issue a procedural order establishing the next steps in the proceeding.

Findings

The OEB denies the request by the City of Guelph and eMerge Guelph to place the application in abeyance.

The OEB has determined it to be more efficient to proceed with hearing the current application and to proceed with submissions from the parties and OEB staff, on the timelines set out below.

Generic issues will be addressed in the forthcoming generic review of the Model Franchise Agreement and informed by recent franchise agreement proceedings. As confirmed in prior OEB franchise application decisions, generic issues are outside the scope of this proceeding.

The initiation of a generic review does not prevent the OEB from adjudicating issues that fall within the scope of this proceeding.

It is in the interests of regulatory efficiency to proceed with issues specific to the City of Guelph.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The City of Guelph, eMerge Guelph and OEB Staff shall file their written submissions with the OEB and serve them on all parties by **December 19, 2025**.
2. Enbridge Gas shall file a reply submission, if any, with the OEB and serve it on all parties by **January 16, 2026**.

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-2025-0058** 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 to 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, Natalya Plummer at Natalya.Plummer@oeb.ca and OEB Counsel, Michael Miller at Michael.Miller@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **December 4, 2025**

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar