

December 10, 2025

DELIVERED VIA EMAIL AND RESS

Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E2
registrar@oeb.ca

Attention: Nancy Marconi, Registrar

**RE: Renewal of Municipal Franchise Agreement
 OEB File No.: EB-2025-0058**

AND RE: Request for Extension of Filing Deadline

I am writing on behalf of The Corporation of the City of Guelph (the “City of Guelph”) in response to the Ontario Energy Board (“OEB”) Procedural Order #5 dated December 4, 2025 which, among other things, (i) denies the request by the City of Guelph and eMERGE Guelph Sustainability (“eMERGE”) to place the above-noted application in abeyance pending the outcome of the forthcoming generic proceeding on the Model Franchise Agreement, and (ii) orders the City of Guelph, eMERGE Guelph and OEB Staff to file their written submissions with the OEB and serve them on all parties by December 19, 2025.

The City of Guelph respectfully requests an extension to January 9, 2026 for the intervenors to file submissions in the above-noted application. The City of Guelph conferred with eMERGE Guelph prior to making this request for extension.

1. Intervenors Require Time to Properly Prepare and Coordinate Submissions

Until recently, the intervenors had been awaiting the OEB’s decision on whether it would hold a generic proceeding on the OEB’s Model Franchise Agreement and the impact of that decision on this proceeding. On October 16, 2025, the OEB issued a letter advising the parties in this proceeding that, on October 15, 2025, the OEB had issued a letter to interested stakeholders that it intends to commence a generic proceeding to review the Model Franchise Agreement in 2026, and inviting the parties in this proceeding to file submissions on what the next steps in this proceeding should be by November 6, 2025. In response, both the City of Guelph and eMerge Guelph proposed that the above-noted application should be placed in abeyance, on the basis that local issues to be decided in this proceeding may be addressed more fully through a generic hearing, and that putting this application in abeyance would ensure greater regulatory efficiency, avoid inconsistent decisions, and result in no prejudice to the applicant or customers.

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

T 519-822-1260
TTY 519-826-9771

guelph.ca

On December 4, 2025, the OEB informed the parties that the request to hold the application in abeyance was denied, and ordered the City of Guelph, eMERGE Guelph and OEB Staff to file their written submissions with the OEB and serve them on all parties by December 19, 2025.

The intervenors were given only 15 calendar days to prepare and file submissions. As a municipality, the City of Guelph has limited staff resources who, in turn, have limited capacity to dedicate to the preparation of submissions for this proceeding. Resources are further constrained in the month of December. Most importantly, the December 19, 2025 submission deadline does not give City of Guelph staff sufficient time to obtain any necessary instructions from decision-makers. Having regard for importance of this application for the City of Guelph and its residents, the City of Guelph requires sufficient time to prepare and file submissions.

The City of Guelph notes that the OEB has established a Holiday Timeout which acknowledges the limited stakeholder availability over the late December to early January period.¹ For the 2025-2026 Fiscal Year, the Holiday Timeout will occur from December 20, 2025 to January 4, 2026. Although the Holiday Timeout does not preclude any party or OEB staff from filing materials through the OEB's Regulatory Electronic Submission System (RESS) during the holiday period, it is our understanding that no processing of the application and no issuance of key documents will occur during this period. This particular matter is not overly time-sensitive and does not necessitate any process or issuance of any decision during this time period.

The City of Guelph would benefit from additional time over the Holiday Timeout to prepare and finalize its submissions. Granting the requested extension would not preclude any other party or OEB staff from filing materials prior to the Holiday Timeout and would not impose any burden on other parties or OEB staff over the Holiday Timeout.

The intervenors also intend to coordinate their submissions in order to avoid duplication as much as possible. Again, this will require more time than provided by the current deadline of December 19, 2025.

2. The Extension Requested Will Not Prejudice the Applicant

As there is no pressing urgency in this case, there will be no prejudice if the requested extension is granted. As the Board is aware, clause 4(c) of the existing franchise agreement between Enbridge Gas Inc. and the City of Guelph stipulates that, following a party's notice of intent to negotiate a renewal, the terms of the existing agreement remain in place until such negotiations are resolved. As a result, the requested extension should not prejudice the Applicant or any customers. Any inconvenience would be outweighed by the potential prejudice to the City of Guelph should it be required to meet a tight deadline only to have its application materials on pause for the duration of the Holiday Timeout – the City's ability to prepare submissions within a short timeline is materially constrained, and even if the City were able to bear the significant expense of external counsel, it is not feasible for the City to retain external counsel in the time available.

¹ Protocol for Adjusting Adjudicative Timelines <https://www.oeb.ca/sites/default/files/protocol-for-adjusting-adjudicative-timelines-20211101.pdf> (at p.1).

Further, the City of Guelph values the involvement of eMERGE in this proceeding and submits that any inconvenience the requested extension may pose is further outweighed by the potential prejudice to both intervenors, and the public interest, should an administrative timeline impede the City's ability to coordinate with eMERGE.

Given the above, the City of Guelph submits that a deadline of January 9, 2026 would provide sufficient time to prepare and file submissions, without prejudicing any parties to the proceeding.

Yours truly,



Jennifer Charles
General Manager / City Solicitor
Legal and Court Services, Corporate Services
519-822-1260 extension 2452

Copy to: Natalya Plummer – Natalya.Plummer@oeb.ca;
Antonette Franco – antonette.franco@oeb.ca
Richard Lanni – Richard.Lanni@oeb.ca;

Patrick McMahon – Patrick.mcmahon@enbridge.com;

Kent Elson – kent@elsonadvocacy.ca;
Kate Siemiatycki – kate@elsonadvocacy.ca;
Evan Ferrari – evan@emergeguelph.ca;

Matthew Irish – matthew.irish@guelph.ca; and
Dylan McMahon – dylan.mcmahon@guelph.ca.