



**Enbridge Gas Inc.**

**Application for exemption from leave to construct  
natural gas pipeline and associated facilities in the  
City of Port Colborne**

**PROCEDURAL ORDER NO. 1  
January 9, 2026**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on November 7, 2025, under sections 95 (2) of the *Ontario Energy Board Act, 1998*, for an order granting an exemption from the requirement to obtain leave to construct natural gas pipelines to serve an industrial customer in the City of Port Colborne (Project). The Project involves the construction of approximately 2.65 km of natural gas distribution pipeline and ancillary facilities.

The application will be heard by Commissioner David Sword.

Enbridge Gas relies on section 3.0.1 (1) of Ontario Regulation 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) of the OEB Act. The exemption is available 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 in section 3 (1) for the purposes of that clause (i.e., \$2 million) 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.<sup>1</sup>

On November 27, 2025 the OEB issued a Notice of Hearing followed by a corrected Notice of Hearing on December 2, 2025 to the following Indigenous communities:

- Haudenosaunee Confederacy Chiefs Council
- Mississaugas of the Credit First Nation
- Six Nations of the Grand River

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<sup>1</sup> In its Delegation Letter to Enbridge Gas, the Ministry of Energy and Mines identified these communities as those whose s. 35 rights could potentially be affected by the proposed project.

The Notice of Hearing provided an opportunity for each of the Indigenous communities to actively participate in the hearing as an intervenor by filing a Notification Letter with the OEB. For Indigenous communities wishing to express their view on the application without engaging as an intervenor, the Notice made provision for Indigenous communities to file a Letter of Comment. The Notice of Hearing also provided the Indigenous communities with the option to follow the proceeding as a Monitor, which would result in the delivery by email of all documents issued by the OEB with respect to this proceeding to those applying for such status.

### **Six Nations of the Grand River**

On December 8, 2025, the OEB received a request for intervenor status from Six Nations of the Grand River (Six Nations) followed by a subsequent request for cost eligibility on December 12, 2025.

In its intervenor request letter, Six Nations noted concerns related to Enbridge Gas Indigenous consultation and the Crown's duty to consult in relation to the Project. Six Nations has been identified by the Ministry of Energy and Mines as a community that Enbridge Gas should consult as it is potentially impacted by the Project.

The OEB approves Six Nations as an intervenor and confirms their eligibility to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#). The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

### **Confidentiality**

As part of its Application, Enbridge Gas requested confidential treatment of certain portions of the following documents:

#### Personal Information

- Exhibit F-1-1, Attachment 1 (Appendix B7, page 5), Environmental Report: Names and contact information of property owners.

#### Indigenous Consultation Report

- Exhibit H-1-1, Attachment 6 (Line-item Attachment 1.7), Indigenous Consultation Report: Hourly rate offered for participation in environment field surveys.

In accordance with the OEB's [Practice Direction on Confidential Filings](#) (Practice Direction), Enbridge Gas included a redacted copy of the documents in its application. Unredacted documents were filed separately in confidence.

The OEB has reviewed Exhibit F-1-1, Attachment 1 which contains the names and contact information of property owners from the Environmental Report and finds that the redacted information is considered personal information as defined in the *Freedom of Information and Protection of Privacy Act* and the OEB's Practice Direction. Exhibit F-1-1, Attachment 1 shall remain redacted and shall not be provided to any intervenor in this proceeding.

With respect to Exhibit H-1-1, Attachment 6 (Line-item Attachment 1.7), any objection by a party or OEB staff to the confidentiality request must be submitted in accordance with sections 5.1.6 and 5.1.7 of the Practice Direction. Enbridge Gas may respond to any objections in accordance with section 5.1.8 of the Practice Direction.

### **Interrogatories**

At this time, provision is being made for written interrogatories. Parties should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

The OEB is making provision for the following related to this proceeding. Further procedural orders may be issued by the OEB.

### **THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. OEB staff and intervenor shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by, **January 23, 2026**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on intervenor by **February 3, 2026**.
3. Any written submissions from OEB staff and intervenors, shall be filed with the OEB and served on all parties by **February 17, 2026**.
4. Any written reply submissions from Enbridge Gas shall be filed with the OEB and served on intervenors by **February 27, 2026**.

## Direction for preparing materials

- 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](#).
- Filings should clearly state the filing date and the sender's name, postal address, telephone number and e-mail address.
- Other than for applications or as otherwise required or directed by the OEB, parties are not required to submit a cover letter for materials that are self-evident (e.g., interrogatories, submissions) unless the cover letter includes a request or additional information not included in the materials themselves.
- Parties are strongly encouraged to use bookmarks in their filings to aid in navigation.
- Parties should not append to their evidence entire OEB documents (e.g., decisions, policy documents, guidelines). Rather, parties should provide citations to the documents and a clear and concise summary of the relevant part(s) of the document. Parties are encouraged to use hyperlinks for complete, permanent, and publicly available versions of the documents, when possible.
- Parties should refrain from quoting material from documents unless it is essential to support their interrogatories or arguments.
- Parties are not required to provide a summary of the procedural history of a proceeding but may refer to that history where and to the extent needed for context to orient an issue or discussion.
- Parties must: (a) disclose where generative artificial intelligence was used to generate content included in a filing and (b) confirm that the accuracy of the portion of the filing generated by generative artificial intelligence has been verified by the party or its representative without the assistance of generative artificial intelligence.

## How to file documents with the OEB

- Parties are required to quote file number (i.e., **EB-2025-0301**) for all materials filed and submit them in **searchable/unrestricted PDF format** (i.e., no printing or copying restrictions) with a digital signature through the [OEB's online filing portal](#).
- Parties should 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.
- Cost claims are filed through the OEB's online filing portal. Parties are encouraged to visit the [File documents online page](#) of the OEB's website for more information. Parties that are eligible for a cost award and that do not currently have an account in the cost claim portal should create an account as soon as their cost award eligibility has been confirmed by the OEB. All parties shall download a copy of their submitted cost claim for the purposes of service on the party(ies) paying cost awards as per the [Practice Direction on Cost Awards](#).
- All communications should be directed to the attention of the Registrar and be received by **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, Zora Crnojacki at [Zora.Crnojacki@oeb.ca](mailto:Zora.Crnojacki@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

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

**DATED** at Toronto, **January 9, 2026**

**ONTARIO ENERGY BOARD**

**By delegation, before: Ritchie Murray**

Ritchie Murray  
Acting Registrar

**SCHEDULE A**  
**LIST OF APPLICANT AND INTERVENORS**  
**ENBRIDGE GAS INC**  
**EB-2025-0301**  
**PROCEDURAL ORDER NO. 1**  
**January 9, 2026**

Enbridge Gas Inc.

EB-2025-0301

**APPLICANT & LIST OF INTERVENORS**

January 9, 2026

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**APPLICANT**

**Rep. and Contact Information for Service**

**Enbridge Gas Inc.**

**Patricia Squires**

Manager, Regulatory Applications

Enbridge Gas Inc.

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[EGIRegulatoryProceedings@enbridge.com](mailto:EGIRegulatoryProceedings@enbridge.com)

**APPLICANT COUNSEL**

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**INTERVENORS**

**Rep. and Contact Information for Service**

**Six Nations of the  
Grand River**

**Peter Graham**

Consultation Supervisor

Six Nations of the Grand River

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