



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. 2
January 22, 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. The Project involves the construction of approximately 2.65 km of natural gas distribution pipeline and ancillary facilities.

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 (Six Nations)

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.

On December 8, 2025 the OEB received a request for intervenor status from Six Nations. This was followed by a subsequent request for cost eligibility on December 12, 2025.

On January 9, 2026, the OEB issued Procedural Order No. 1, in which the OEB approved Six Nations as an intervenor and confirmed their eligibility to apply for an award of costs. In addition, in Procedural Order No. 1, the OEB set a schedule for a written hearing process including the following dates for the filing and serving of materials: 1) interrogatories by OEB staff and Six Nations by January 23, 2026; 2) Enbridge Gas's responses to the interrogatories by February 3, 2026; 3) any written submissions from OEB staff and Six Nations by February 17, 2026; and 4) any written reply submissions from Enbridge Gas by February 27, 2026.

Six Nations of the Grand River Request for Extension

On January 12, 2026 Six Nations filed a letter requesting an extension of the procedural timeline set in Procedural Order No. 1. In the letter, Six Nations noted that the approval of Elected Council is needed in order to retain legal counsel, and the first opportunity to obtain this approval is at a council meeting on January 26, 2026, which is after the deadline set for interrogatories. Six Nations stated that as it is not possible to meet the deadlines in Procedural No. 1, an extension of the deadlines is requested. Six Nations further noted that they would like to communicate with the OEB in early February once a new lawyer has been retained, so that new deadlines could be established.

The OEB approves Six Nations's request for a time extension with respect to all procedural dates that were set in Procedural Order No. 1. The OEB approval allows additional time for Six Nations to retain legal counsel and participate fully in the proceeding.

In the OEB's view, it is not procedurally efficient to wait until early February to receive further information from Six Nations before setting a revised schedule for this proceeding.

The OEB, by way of this procedural order, sets an extended timeline for the procedural schedule, starting with a time limit of February 17, 2026 for the filing and serving of written interrogatories by OEB staff and Six Nations.

Interrogatories

As previously outlined in Procedural Order No. 1, 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 Six Nations 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 **February 16, 2026**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on Six Nations by **March 2, 2026**.
3. Any written submissions from OEB staff and Six Nations shall be filed with the OEB and served on all parties by **March 17, 2026**.
4. Any written reply submissions from Enbridge Gas shall be filed with the OEB and served on Six Nations by **March 31, 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 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.

Email: registrar@oeb.ca

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

DATED at Toronto, **January 22, 2026**

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar