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January 30, 2026

**VIA EMAIL and RESS**

Ritchie Murray  
Acting Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> floor  
P.O. Box 2319  
Toronto, Ontario, M4P 1E4

Dear Ritchie Murray:

**Re: Enbridge Gas Inc. (“Enbridge Gas” or the “Company”)  
Ontario Energy Board (“OEB”) File No.: EB-2025-0306  
Lanark and Balderson Community Expansion Project (the “Project”)  
Intervention Requests**

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Enbridge Gas has reviewed the intervenor request letters for the above noted proceeding from the following parties, and offers the comments below:

- Pollution Probe (PP)
- Environmental Defence (ED)
- Climate Network Lanark (CNL)
- Federation of Rental-housing Providers of Ontario (FRPO)

**PP**

Enbridge Gas does not object to the intervention request made by PP.

**ED and CNL**

In respect of the intervention requests from ED and CNL, Enbridge Gas recommends that the OEB determine that only one of ED or CNL is warranted as an intervenor in this proceeding, and that CNL is the more appropriate choice. ED and CNL are represented by the same legal counsel, the policy interests and issues identified in their intervention forms are substantially the same, and ED has advised in a past proceeding<sup>1</sup> for a neighbouring municipality that it could be represented through the intervention of CNL alone. Enbridge Gas recommends that CNL is the more appropriate intervenor in this case due to the organization’s local connections and ties to the Project area, resulting in a more substantial interest than ED in the matters within the scope of the proceeding.<sup>2</sup> Ultimately, approving CNL and denying ED as an intervenor in the proceeding would

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<sup>1</sup> EB-2024-0342, Enbridge Gas Inc. Application for a Certificate of Public Convenience and Necessity for the Township of Tay Valley.

<sup>2</sup> OEB Rules of Practice and Procedures, Section 22.02.

ensure that their shared interests are represented without sacrificing regulatory efficiency.

The OEB's Report Back to the Minister, Intervenors and Regulatory Efficiency, dated September 27, 2024<sup>3</sup> lists the following opportunities to bring greater efficiency to intervenor processes while still balancing substantive legal rights through incremental reforms:

- Requiring cooperation between intervenors with similar interests and funding the equivalent of only one intervenor per category to reduce costs and regulatory burden on utilities.
- Having commissioners take a more hands-on approach to managing the costs and participation of intervenors throughout the regulatory process.
- Narrowing intervenor participation in cases where the OEB's role is more limited and there is government direction for the project.
- Reducing duplication in the adjudication process like when intervenors ask similar questions, which necessitates additional effort for utilities during an already labour - intensive process.

The opportunities listed above would be realized by approving only CNL as an intervenor in this proceeding, thereby fostering greater regulatory efficiency – a clear expectation set out by the Minister of Energy and Mines (Minister). In the Minister's December 19, 2024 renewed Letter of Direction to the OEB, the Minister highlighted his expectation that the OEB ensure intervenors are costs effective, efficient and in the public interest, stating (at page 8):

*Keep my office and ministry informed on the progress of implementing the 10-point action plan outlined in the OEB's report Back dated September 27, 2024 on Intervenors and Regulatory Efficiency. I also expect that the OEB management and staff will provide assistance, as appropriate, to Commissioners **by being proactive and diligent in ensuring that such report recommendations – and other good practices for ensuring intervenors are cost effective, efficient and in the public interest – are followed**, and that Commissioners are transparently advised, as appropriate given the independence of their adjudicative role, where staff believe improvements are required, **or intervenors need to be limited or directed** (emphasis added).<sup>4</sup>*

If the OEB decides to approve one or both of ED/CNL as intervenors, Enbridge Gas believes that the scope of their intervention(s) should be appropriately circumscribed to ensure an efficient and effective process. To this end, Enbridge Gas wishes to provide some preliminary comments on the statements made in ED's and CNL's intervention request letters filed on January 26, 2026.

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<sup>3</sup> OEB's Report back to the Minister: Intervenors and Regulatory Efficiency, September 27, 2024 ([link](#)).

<sup>4</sup> Renewed Letter of Direction from the Ministry of Energy and Electrification to the OEB Chair, December 19, 2024, p. 8 ([link](#)).

ED makes a request to file evidence in the proceeding but provides no details regarding the nature of the proposed evidence. Therefore, Enbridge Gas is not able to comment on its relevance at this time. However, the Company reserves its rights to address the proposed evidence on that basis once clarity is provided.

CNL also makes a request to file evidence in the proceeding, which includes “evidence regarding local opposition to the project.”<sup>5</sup> Enbridge Gas submits that this potential evidence is not relevant to the proceeding as the Project was previously approved to receive funding assistance from Phase 2 of the Government of Ontario’s Natural Gas Expansion Program (NGEP) and is supported by the Township of Drummond/North Elmsley, Township of Lanark Highlands and County of Lanark. The Township of Drummond/North Elmsley and Township of Lanark Highlands provided letters of support in 2020 to support Enbridge Gas’s proposal for natural gas expansion within their respective communities as part of Phase 2 of the NGEP process.<sup>6</sup> The County of Lanark has also emphasized its support for the Project via a letter of support dated November 18, 2025.<sup>7</sup> In light of the clear provincial policy driver for the Project and support from local governments, the proposed evidence related to local opposition from CNL’s supporters in Lanark County (which CNL has estimated to be 1,200, out of a population of 75,760 based on the 2021 Census<sup>8</sup>) is not relevant or material to this proceeding.

CNL is also proposing to intervene in order that they might explore “The environmental impacts of the pipeline, including climate impacts...”.<sup>9</sup> Inquiries related to broader climate concerns from the use of natural gas are beyond the purview of the OEB and the scope of this proceeding. Similarly, CNL expresses interest in exploring other out-of-scope issues, including its alleged concerns with the Company’s marketing materials (which are already the subject of discussion/review in other OEB processes). Enbridge Gas would ask that the OEB limit the scope of participation by intervenors such that it focuses on areas within the jurisdiction of the OEB.

Accordingly, and for the reasons stated above, Enbridge Gas recommends that the OEB determine that only one of ED or CNL is warranted as an intervenor in this proceeding, and that CNL is the more appropriate choice. Further, intervention of either group should be narrowly focused on the issues relevant to the scope of this proceeding.

### FRPO

Enbridge Gas notes that, contrary to section 22.01 of the OEB’s Rules of Practice and Procedure (Rules), FRPO did not serve its January 26, 2026 intervention request upon the Applicant, and therefore Enbridge Gas was not aware of its request until the morning of January 28, 2026 after it was posted on the OEB’s Regulatory Document Search site. Enbridge Gas requests that the OEB consider FRPO’s repeated failure to

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<sup>5</sup> EB-2025-0306, Climate Network Lanark Intervention Form, p.4, January 26, 2026.

<sup>6</sup> Exhibit B, Tab 1, Schedule 1, para. 6; EB-2020-0255 6L-5.

<sup>7</sup> Exhibit B, Tab 1, Schedule 1, Attachment 2.

<sup>8</sup> EB-2024-0342, Affidavit of Susan Brandum, para. 4, April 22, 2025; [2021 Census Profile - Lanark County](#).

observe the OEB's Rules<sup>10</sup> as they pertain to Intervenor Status and filing deadlines in their assessment of FRPO's intervention request, and the potential impact on regulatory efficiency should additional oversights of the Rules occur.

FRPO's intervention request is vague on the issues it wishes to explore in this proceeding. The only specific issue identified is the "proposed sizing of the project," a narrow topic without any additional context for the concern. Project sizing has been raised as an issue of interest by FRPO in other Enbridge Gas leave to construct proceedings, and in at least one of those cases, the OEB determined that FRPO's intervention was "excessive relative to other intervenors and probative materiality value of issues pursued."<sup>11</sup> FRPO's costs claims in that proceeding were accordingly reduced by the OEB. While Enbridge Gas is not formally objecting to FRPO's intervention in this proceeding, the Company requests that the OEB instruct FRPO to scale its intervention activities appropriately, in line with the narrow scope of its stated area of interest.

Mr. Gordon Harrison

Enbridge Gas has reviewed the correspondence from Mr. Gordon Harrison expressing interest in being an intervenor in this proceeding and it is unclear what Mr. Harrison's issues with the Application are related to (if any). Should Mr. Harrison file a late intervention request in this proceeding, Enbridge Gas reserves the right to respond at that time.

Please contact me if you have any questions.

Yours truly,

*Evan Tomek*

Evan Tomek  
Senior Advisor, Regulatory Applications – Leave to Construct

Cc: Arend Wakeford (Enbridge Gas Legal Counsel)  
Natalya Plummer (OEB Case Manager)  
Michael Brophy (Pollution Probe)  
Amanda Montgomery (Environmental Defence and Climate Network Lanark)  
Kent Elson (Environmental Defence and Climate Network Lanark)  
Kate Siemiatycki (Environmental Defence and Climate Network Lanark)  
Dwayne R. Quinn (Federation of Rental-housing Providers of Ontario)

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<sup>10</sup> For example, EB-2024-0198 late intervention request; EB-2024-0200 late objection to confidentiality request; EB-2022-0111 late intervention request; EB-2020-0065 late intervention request.

<sup>11</sup> EB-2024-0200 Decision and Order on Cost Awards, p. 8 (St. Laurent Replacement Project).