



Enbridge Gas Inc.

**Application for leave to construct natural gas pipeline
and associated facilities in the City of Burlington**

PROCEDURAL ORDER NO. 1

February 9, 2026

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on November 19, 2026, under section 95 (2) of the *Ontario Energy Board Act, 1998, S.O. 1998, c. 15, (Schedule B)* (OEB Act) for an order granting an exemption from the requirement to obtain leave to construct approximately 3.2 kilometres of natural gas pipeline and ancillary facilities in the Cedar Springs community, located in the City of Burlington (Cedar Springs Project). The proposed natural gas pipeline line will provide approximately 61 residential customers with access to natural gas.

A panel of commissioners to hear the application has not yet been assigned. The OEB will provide an update identifying the panel of commissioners hearing this matter at a later date.

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.

On December 15, 2025 the OEB issued a Notice of Hearing (Notice) to Six Nations of the Grand River (Six Nations) and the Mississaugas of the Credit First Nation (MCFN).

The Notice 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 by January 14, 2026. 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 Intervention Request

By letter dated January 14, 2026 Six Nations expressed concern regarding their inability to locate the application on the OEB's website and requested an extension on the basis that the application had not been made publicly available in a timely manner. On that same day, the OEB responded by letter to acknowledge the administrative error and approved an extension for the filing of a Notification letter by February 2, 2026.

On February 2, 2026, the OEB received a Notification letter from Six Nations requesting to participate in the proceeding. In a separate letter filed on the same day, Six Nations requested eligibility for cost awards. In its Notification letter, Six Nations noted concerns related to Enbridge Gas's Indigenous consultation.

On February 9, 2026 Enbridge Gas filed a letter to the OEB indicating that it had no objections with Six Nations participating as an intervenor or its request for eligibility for an award of costs. Enbridge Gas submitted that Six Nations' concerns paint an incomplete picture of its engagement activities that additional details of those activities will emerge through the discovery phase of this proceeding.

Six Nations is approved as an intervenor and is eligible 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.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

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 B2, pp 6-16
- Exhibit F-1-1, Attachment 1: Appendix B7, p.5

In accordance with the OEB's [Practice Direction on Confidential Filings](#) (Practice Direction), Enbridge Gas included reasons for the request and 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, Appendix B2, pages 6-16 and Appendix B7, page 5 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 Appendix B2, pages 6-16 and Appendix B7, page 5 shall both remain redacted and shall not be provided to any intervenor in this proceeding.

Interrogatories and Submissions

At this time, provision is being made for written interrogatories and submissions. Parties should not engage in detailed exploration of items that do not appear to be material. Consistent with the OEB's [Practice Direction on Cost Awards](#), parties are reminded that, 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. Six Nations and OEB staff 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 23, 2026**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on Six Nations by **March 9, 2026**.
3. Any written submissions from Six Nations and OEB staff shall be filed with the OEB and served on all parties by **March 23, 2026**.
4. Any written reply submissions from Enbridge Gas shall be filed with the OEB and served on Six Nations by **April 7, 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-2025-0313**) 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, Natalya Plummer at Natalya.Plummer@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **February 9, 2026**

ONTARIO ENERGY BOARD

By delegation, before: Ritchie Murray

Ritchie Murray
Acting Registrar

SCHEDULE A
LIST OF APPLICANTS AND INTERVENORS
ENBRIDGE GAS INC.
PROCEDURAL ORDER NO. 1
EB-2025-0313
DATED: FEBRUARY 9, 2026

**Enbridge Gas Inc.
EB-2025-0313**

APPLICANT & LIST OF INTERVENORS

February 9, 2026

APPLICANT

Rep. and Contact Information for Service

Enbridge Gas Inc.

Olatunbosun Ishola
Advisor, Regulatory Applications
Enbridge Gas Inc.

Tel: 416-495-5499
EGIRegulatoryProceedings@enbridge.com

APPLICANT COUNSEL

Richard Lanni

Senior Legal Counsel
Enbridge Gas Inc.

Tel: 416-495-7733
richard.lanni@enbridge.com

INTERVENORS

Rep. and Contact Information for Service

**Six Nations of the Grand
River Elected Council**

Peter Graham
Consultation Supervisor
Six Nations of the Grand River Elected Council

Tel: 519-753-0665
LRCS@sixnations.ca