



Enbridge Gas Inc.
50 Keil Drive North
Chatham, Ontario, Canada
N7M 5M1

February 10, 2026

Mr. Ritchie Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Mr. Murray:

**Re: Enbridge Gas Inc.
Application for Approval of Franchise Agreement (Application)
Regional Municipality of Waterloo
Ontario Energy Board (OEB) File No. EB-2025-0327**

Pursuant to Rule 22.04 of the OEB's [Rules of Practice and Procedure](#), an applicant may file an objection to a person applying for intervenor status within 5 calendar days from the intervention deadline, which in this case was February 5, 2026. This letter responds to the request for intervenor status submitted by the Regional Municipality of Waterloo (Waterloo Region). Enbridge Gas will respond to the late request for intervenor status submitted by Environmental Defence in a subsequent submission.

While Enbridge Gas does not object to the OEB granting intervenor status to Waterloo Region, given they are a party to the franchise agreement, Enbridge Gas does object to how Waterloo Region characterizes the franchise agreement renewal process and its proposed "Issues" and proposed amendments to the franchise agreement. These submissions are intended to help inform the OEB's determination of the procedural schedule and scope of this proceeding.

Nature of Proceeding

First, Waterloo Region has mischaracterized the nature of this proceeding in its statement that it is "*legally required to enter into an MFA with Enbridge*". This is a matter for the OEB to determine in accordance with its authority under section 10 of the *Municipal Franchises Act* to renew or extend the term of the existing franchise agreement with Waterloo Region if public convenience and necessity appear to require it. As described in the [Application](#), Enbridge Gas has an existing franchise agreement in place with Waterloo Region in the form of the OEB's Model Franchise Agreement (MFA) and it currently serves approximately 106,000 customers in the lower-tier municipalities that are part of Waterloo Region. Renewal or extension of the franchise agreement is required for Enbridge Gas to access municipal highways to continue serving these customers. There has been no suggestion that these customers do not wish to continue receiving services from Enbridge Gas.

“Issues” List of Waterloo Region

Enbridge Gas also objects to the OEB considering in this proceeding several of the “Issues” Waterloo Region has set out in its intervention form, namely:

1. Clarify the definition of “highway” that all parts of the Region’s right of way are captured.
2. Include a requirement for Waterloo Region staff to be provided with as-built CAD drawings in UTM NAD83 Zone 17 co-ordinate system in s. 6 of the MFA.
3. Add clarification regarding the use of the words “remove”, “relocate”, and “decommission” in such sections s. 12 and 15 of the MFA.
4. Add clarification regarding the interaction between s. 12 and 15 regarding cost sharing responsibilities.
5. Allow Waterloo Region to charge for-profit entities such as Enbridge Gas access fees for use of public property if Ontario Regulation 584/06 under the *Municipal Act, 2001* is amended to allow for such charging of fees.
6. Add clarification that “project engineering and project administrative costs” listed in s. 12(c)(v) are limited to actual cost incurred.
7. Add language to the MFA that addresses who bears costs for pipeline locates / exposures that Enbridge Gas requests to be done during design and construction of road improvement projects of Waterloo Region.
8. Change the date in s.18 for when a request for infrastructure owned by Enbridge Gas needs to be removed / replaced triggers Enbridge Gas being 100% responsible for all such costs.
9. Any other changes deemed reasonably necessary by Waterloo Region.

The OEB is clear in its [Natural Gas Facilities Handbook](#) that it adopted the MFA following significant input from interested stakeholders, including municipalities, and has applied it consistently in efficiently administering the many franchise agreements in place across the province (including 344 Enbridge Gas franchise agreements). Further, the OEB has consistently stated its expectations that franchise agreements will be based on the MFA “unless there is a compelling reason for deviation”. Waterloo Region has not provided any such reasons in its intervention request, citing only the fact that it intends to “make policy submissions as to why the requested order is not in the best interest of the public.”

On February 4, 2026, Enbridge Gas filed its [reply argument](#) (Guelph Reply) respecting its application to renew its franchise agreement with the City of Guelph (EB-2025-0058). In that proceeding, the City of Guelph is seeking similar amendments to the franchise agreement to what Waterloo Region is seeking in this case. Enbridge Gas will not repeat its submissions here but commends them to the OEB as it determines the appropriate scope of this proceeding, to avoid regulatory delays and lengthy filings about matters clearly outside local municipal interests that would impact all Enbridge Gas customers and municipalities that Enbridge Gas serves. In short, Waterloo Region should have to satisfy the OEB that its “Issues” are not in the category of what the OEB has repeatedly stated it considers inappropriate for franchise proceedings – i.e., broad issues that may have implications for communities and natural gas consumers across Ontario, which are not specific to the municipality.¹

Regarding Waterloo Region’s item 5 “Issue” above, about proposed amendments to [Ontario Regulation 584/06 \(Fees and Charges\)](#) under the *Municipal Act, 2001*, Enbridge Gas also addressed this matter in its Guelph Reply and [its comments](#) to the many form letters of

¹ OEB’s [Procedural Order No. 1](#), EB-2025-0058

comment filed in that proceeding. There, the OEB ordered that issues or evidence relating to any potential future amendments to Ontario Regulation 584/06 are out of scope because any legislative or regulatory changes under consideration remain speculative.² Dismissive of the OEB's orders, both the City of Guelph and eMerge Guelph Sustainability repeatedly raised this issue in interrogatories, evidence and submissions, wasting time and resources of the OEB, all parties and ratepayers.

The OEB should make every effort to avoid similar regulatory inefficiency in this case and pay heed to the Minister of Energy and Mine's directions to enhance efficiency and clarity within the OEB's processes.³ The Minister has also directed the OEB to implement the Ontario government's [Integrated Energy Plan](#) and strategy to leverage all energy resources to provide affordable, secure, reliable and clean energy to support economic growth and job creation. Timely and efficient adjudication of municipal franchise agreements with an aim to maintaining reliability and affordability of gas services to existing and new customers is an important part of the OEB's role in this regard.

Should you have any questions on this submission, please do not hesitate to contact me.

Yours truly,

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² OEB's [Procedural Order No. 2](#), EB-2025-0058

³ Minister of Energy and Mines December 18, 2025 [direction letter](#) to OEB Chair, page 5