

# Elson Advocacy

February 17, 2026

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

Dear Mr. Murray,

**Re: EB-2025-0327 – Enbridge Gas Inc. Application for Approval of Franchise Agreement Regional Municipality of Waterloo (Waterloo Region)**

I am writing in response to the letter of Enbridge Gas dated February 11, 2026, requesting that Environmental Defence (“ED”) be denied intervenor status in the above-referenced proceeding. Enbridge has raised several grounds of objection, which I address below.

## **Substantial and distinct interest**

Enbridge argues that Environmental Defence has insufficient interest in the proceeding to be granted intervenor status. This is untrue.

Although ED is a national organization, it regularly partners with local environmental and community groups to support their participation in provincial regulatory and policy processes. In the context of the application before the Board, Environmental Defence has agreed to assist several local groups in having their voices and the voices of their supporters heard in the event that it is granted intervenor status. Specifically, Environmental Defence has agreed to assist Nith Valley Eco Boosters, Grand River Environmental Network, and Assuring Protection from Tomorrow’s Environment (see enclosed letters of support); including by providing information regarding the proceeding and helping them and their members express their views. Environmental Defence is also engaged in discussions with other local groups about potential coordination. This is in addition to representing the local concerns of Environmental Defence’s own 500 supporters in Waterloo Region.

These local groups and supporters have a genuine interest in the outcome of this proceeding, including related to their position that the proposed franchise agreement constitutes a fossil fuel subsidy. This conflicts with their interest in environmental protection, which is relevant to the OEB’s mandate, as well as to the central issue in this proceeding (Is the proposed franchise agreement in the public interest and if so, on what terms?). The OEB has confirmed on numerous occasions that environmental interests are relevant to its mandate, including in a procedural order which granted intervenor status to three environmental groups in an Enbridge proceeding and

explicitly confirmed that they “represent a policy interest relevant to the OEB’s mandate and therefore have a substantial interest in this proceeding.”<sup>1</sup>

Moreover, these supporters are local residents and taxpayers with a direct interest in the financial impacts of a renewed franchise agreement on the Regional Municipality. Although Enbridge argues that ED’s participation is not required as a result of the Municipality’s intervention, they are in fact distinct parties with separate relevant viewpoints. This was validated by the OEB’s previous decision to grant both municipal and community intervenors in a franchise renewal application for the City of Guelph.<sup>2</sup>

By utilizing its regulatory expertise to represent the interests of multiple local groups, Environmental Defence can support access to justice and regulatory efficiency. Without the support of a larger organization, it is unlikely that most of these smaller groups could meaningfully participate in an OEB proceeding. Moreover, this approach optimizes efficiency by coordinating input through a single intervenor.

### **Issues and scope of proceeding**

Enbridge further objects to Environmental Defence’s intervention, in part, on the basis that the issues raised in its request are out of scope for the proceeding.

It is premature for Enbridge to raise such objections before all parties have had the chance to make submissions on the issue. If the OEB is considering whether to issue an order regarding the scope of this proceeding, Environmental Defences requests that all intervenors be afforded an opportunity to provide submissions regarding scope.

At this stage, it is sufficient for Environmental Defence to establish that it has a substantial interest in the proceeding in order to meet the threshold for intervention. ED submits that this has been established, especially in light of its connection to multiple local community groups. In a previous franchise renewal proceeding, the OEB stated the following regarding its mandate and the scope of proceedings.

This proceeding will consider the views of the City and local residents as to whether there are compelling reasons to deviate from the terms and conditions of the Model Franchise Agreement in this City.<sup>3</sup>

Environmental Defence’s intervention will help ensure the views of local residents in Waterloo Region regarding potential compelling reasons to deviate from the Model Franchise Agreement are before the Board. As such, it is wholly appropriate that ED be granted intervenor status and permitted to seek costs.

In light of the above, we ask that Environmental Defence be granted intervenor status in the application.

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<sup>1</sup> EB-2024-0198, *Procedural Order No. 1*, March 4, 2025, ([Link](#)), p. 6.

<sup>2</sup> Ibid.

<sup>3</sup> EB-2025-0058, *OEB Procedural Order #1*, March 13, 2025, p.3 ([Link](#)).

Yours truly,



Kate Siemiatycki

Encl:

Correspondence from S. Bray, February 14, 2026

Correspondence from K Thomason, February 15, 2026

Correspondence from T Knezevich, February 14, 2026

**From:** Sandra Bray <sandra@sandrabra.ca>  
**Sent:** Saturday, February 14, 2026 4:50 PM  
**To:** Office of the Registrar <Registrar@oeb.ca>  
**Cc:** Kent <kent@elsonadvocacy.ca>; kate@elsonadvocacy.ca;  
mmarcolongo@environmentaldefence.ca  
**Subject:** Case# EB-2025-0327 – Enbridge Gas Use of Public Lands



Assuring Protection for Tomorrow's Environment

Ms Marconi  
Office of the Registrar  
Ontario Energy Board  
2300 Yonge Street, 27th floor  
P.O. Box 2319

Toronto, ON M4P 1E4

Dear Ms Marconi

Environmental Defence has agreed to assist APT Environment (Assuring Protection for Tomorrow's Environment) in having our voices and the voices of our supporters heard through this application: Case# EB-2025-0327 – Enbridge Gas Use of Public Lands

APTE is an incorporated, not-for-profit community group, formed in 1989, committed to achieving and supporting a long-term healthy environment in Woolwich Township and in the wider Regional Municipality of Waterloo.

In 1989 APTE was pivotal in securing the ongoing Control Order on the former Uniroyal Chemical (now Lanxess Canada) and for 37 years has been the community voice in the industrial site cleanup, the ongoing Canagigue Creek cleanup, and the continued aquifer pumping. Our activities are archived at Laurier University, documented in the book titled *No Guardians at the Gate* and the documentary *Toxic Time Bomb*.

Sincerely,  
Sandra Bray  
Assuring Protection for Tomorrow's Environment  
Co-founder, 1989  
Board Member, current  
519.616.2026  
PO Box 252,  
Elmira, ON  
N3B2Z6

February 14, 2026



GRAND RIVER  
ENVIRONMENTAL NETWORK

1115 Cedar Grove Road  
Waterloo, Ontario  
N2J 3Z4

February 15, 2026

Ms Marconi  
Office of the Registrar  
Ontario Energy Board  
2300 Yonge Street, 27th floor  
P.O. Box 2319  
Toronto, Ontario  
M4P 1E4

Dear Ms Marconi.

Environmental Defence has agreed to work with the Grand River Environmental Network in having our voices and the voices of our concerned supporters heard through this application:

Case# EB-2025-0327 – Enbridge Gas Use of Public Lands

The Grand River Environmental Network is a federally incorporated, not-for-profit community group formed decades ago to be the proactive voice for nature and our communities in the Grand River watershed.

We have been active in guiding growth and development as well as protecting our natural areas on many issues. The need to reduce fossil-fuel and ensure that Enbridge no longer takes advantage of our communities by not paying their fair share – getting a free ride is of great concern to our hundreds of members.

Please let us know any questions and next steps.

Sincerely,

Kevin Thomason  
Vice-Chair, Grand River Environmental Network  
[kevinthomason@mac.com](mailto:kevinthomason@mac.com)  
(519) 888-0519



- committed to achieving and supporting a long-term healthy environment in Wilmot and Wellesley Townships through education, action and collaboration.  
<https://nvecoboosters.com>

February 14, 2026

Ms. Marconi  
Office of the Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> floor  
P.O. Box 2319  
Toronto, ON M4P 1E4

Re: Case# EB-2025-0327 - Enbridge Gas Use of Public Lands  
Enbridge Franchise Agreement – Waterloo Region

Dear Ms. Marconi,

Environmental Defence has agreed to assist the Nith Valley EcoBoosters in having its voices and the voices of its supporters heard through the application to be an intervenor in the Ontario Energy Board hearing related to the Franchise Agreement mentioned above.

The Nith Valley EcoBoosters (NVEB) is an unincorporated not-for-profit volunteer group of 150 supporters and is committed to achieving and supporting a long-term healthy environment in Wilmot and Wellesley Townships in the Regional Municipality of Waterloo.

Since 2015 NVEB has hosted and participated in numerous local environmental education events, advocated on environmental issues to local and provincial governments, and worked with other organizations in Waterloo Region on several collective action campaigns. Our activities are managed through a number of working groups one of which is actively involved with our municipalities on reducing GHG emissions.

The Nith Valley EcoBoosters is pleased to have Environmental Defence represent our group's interests at this important hearing.

Sincerely,

A handwritten signature in black ink that reads "Tom Knezevich". The signature is written in a cursive style with a large, prominent "T" and "K".

Tom Knezevich  
Chair  
Nith Valley EcoBoosters

cc: Mike Marcolongo, Environmental Defence  
Kent Elson, Elson Advocacy  
Kate Siemiatycki, Elson Advocacy