

# Elson Advocacy

March 1, 2026

**Ritchie Murray**

Registrar/A  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, Ontario, M4P 1E4

Dear Mr. Murray

**Re: Enbridge Gas Inc. – Lanark and Balderson Pipelines  
OEB File #: EB-2025-0306**

I am writing pursuant to *Procedural Order #1* to provide the evidence proposals of the Climate Network Lanark (CNL). CNL proposes to submit (a) affidavit evidence and (b) an updated survey regarding likely number of connections.

## **Local Consumer Impacts**

CNL seeks to submit affidavit evidence relating to:

- Local views on the proposed project, including views in the impacted municipalities that have not indicated support for the project;
- Enbridge marketing to potential local customers, and whether it has been fair and accurate; and
- Factors that may have a potential impact on the number of connections.

CNL proposes to deliver this evidence three weeks following the receipt of interrogatory responses. CNL does not anticipate any expert consulting fees being required and estimates incremental counsel costs of between \$2,000 and \$4,500.

In its objection to CNL's intervention request, Enbridge argued that the views of local residents are irrelevant because the project is funded under the Natural Gas Expansion Program ("NGEP") program and has received municipal consent. However, the OEB has not yet ruled on whether the requirement under NGEP for municipal consent has been satisfied by securing only the consent of the County and without securing the consent of the impacted municipalities, as occurred in this case.

## **Survey Evidence**

CNL seeks to retain a public opinion research firm to (i) critique the survey completed by Enbridge and (ii) conduct an updated survey. An updated survey is warranted as the previous

survey was conducted almost three years ago and significant changes have occurred since then, including large increase in the extra length charges levied for certain customer connections, and due to alleged flaws in the methodology of Enbridge's survey.

Enbridge will likely argue that this evidence should be disallowed on the same basis that survey evidence was disallowed when proposed by Environmental Defence in previous gas expansion cases – a decision that was recently upheld by the Divisional Court. However, there are important differences in this case. Most importantly, for the previous proceedings, it was held that Environmental Defence did not have a sufficient local connection as necessary for fairness to require an opportunity to submit survey evidence. In this case, CNL is entirely local and has important local interests at stake.

CNL expects the cost to prepare this evidence being between \$14,000 and \$18,000, plus approximately \$1,500 in incremental counsel time. CNL requests an opportunity to submit this evidence three weeks after receipt of interrogatory response.

Survey evidence is critical to the most important issue in this proceeding – whether the project meets the relevant economic test by achieving a profitability index of 1. That is dependant on the revenue forecast, which is dependant on the customer attachment forecast, which is dependant on the survey evidence. The OEB will benefit from an intervenor-led survey in this proceeding. Should this evidence give the OEB pause about the project economics, that could result in a variety of different outcomes, including conditions that would better insulate existing customers from the risk of under-recovery of revenue.

Finally, CNL apologises for these evidence details being submitted three business days after the deadline and asks for the OEB's indulgence. As counsel, I was unable to meet the original deadline, and I have worked over the weekend to submit it as soon afterward as possible. CNL consents to the deadline for other parties to respond to this proposal being extended by three business days, without a change in CNL's reply deadline, which will avoid any impact on the overall hearing schedule set out in *Procedural Order #1*.

Yours truly,



Kent Elson