



Enbridge Gas Inc.

**Application for the Renewal of a Natural Gas Franchise
Agreement with, and for a new Certificate of Public
Convenience and Necessity for the Town of Cobourg**

PROCEDURAL ORDER NO. 1

March 2, 2026

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on December 9, 2025, under sections 8 and 10 of the *Municipal Franchises Act*, for an order approving the renewal of its natural gas franchise (franchise) with, and a new certificate of public convenience and necessity for the Corporation for the Town of Cobourg (Town of Cobourg) based on the OEB's [Model Franchise Agreement](#).

The application will be heard by Commissioner: David Sword.

The OEB issued a Notice of Hearing on January 15, 2026. The Town of Cobourg filed an intervenor request on February 9, 2026. Enbridge Gas filed an objection letter in response to the Town of Cobourg's request on February 12, 2026. The Town of Cobourg filed a response to Enbridge Gas's objection letter on February 18, 2026.

For the reasons provided below, the Town of Cobourg is approved as an intervenor.

In its intervention request, the Town of Cobourg indicated that it has been unable to reach agreement on the terms of the proposed *Municipal Franchise Agreement* and identified the following key concerns (Town of Cobourg's issues list):

1. The term of the agreement - the Town of Cobourg has concerns that the standard 20-year term may be too long.
2. Cost sharing arrangements - the Town of Cobourg questions whether the current cost sharing arrangements are appropriate for Enbridge Gas works on municipal property, including pipeline relocations.
3. Coordination of efforts - the Town of Cobourg believes that its franchise agreement with Enbridge Gas should provide for more coordination of work between it and Enbridge Gas.

4. Other issues - the Town of Cobourg is considering concerns regarding Enbridge Gas's services and will advise if it has further issues to bring forward in this proceeding.

Enbridge Gas filed a letter on February 12, 2026, in which it did not object to the Town of Cobourg's intervenor request but did provide commentary on statements made by the Town of Cobourg in its request. In its letter, Enbridge Gas:

- Cited the OEB's [Natural Gas Facilities Handbook](#) that states that the OEB expects that franchises will be based on the *Model Franchise Agreement*, unless there is a compelling reason for deviation.
- Asserted that matters related to cost apportionment for relocations and work coordination are generic in nature and are addressed in the [Gas Franchise Handbook](#) in relation to the *Model Franchise Agreement*, which serves as a consolidated guide providing additional detail on operating matters that may not be fully covered in the Franchise Agreement itself.
- Submitted that the Minister of Energy and Mine's directed the OEB to implement the [Integrated Energy Plan](#) and strategy to leverage all energy resources to provide affordable, secure, reliable and clean energy that supports economic growth and job creation. Enbridge Gas also submitted that the timely and efficient adjudication of municipal franchise agreements is an important part of the OEB's role in this regard.

The Town of Cobourg filed a letter on February 18, 2026, in which it responded to Enbridge Gas's letter of February 12, 2026.

In its response letter, the Town of Cobourg stated that its residents currently enjoy the provision of gas service by Enbridge Gas and expressed no desire to rescind Enbridge Gas's franchise for providing such service. However pursuant to Rule 22.02 of the of the OEB's *Rules of Practice and Procedure* (Rules), the Town of Cobourg's Intervention Form sets out the particular interests, and in this instance concerns that the Town of Cobourg has in respect of Enbridge Gas's franchise renewal application.

In its response letter, the Town of Cobourg submitted:

1. The intervention stage is not the point at which the Town of Cobourg should be put to the obligation of providing compelling reasons to depart from the *Model Franchise Agreement*. That should be required only once the record is properly

developed, including through evidence provided by the Town of Cobourg if requested and allowed.

2. The reference provided by Enbridge Gas to the *Gas Franchise Handbook* does not speak to the concern identified by the Town of Cobourg in its Intervention Form that, given the age of the Town of Cobourg's municipal infrastructure and the significant public works that it expects to be undertaking, Enbridge Gas should be more particularly required to co-ordinate work on its infrastructure with the Town of Cobourg's work on its own infrastructure.
3. Timely and efficient adjudication of municipal franchise agreement applications, in accord with Ministerial direction or otherwise, does not equate to precluding the opportunity of directly affected interests from raising their concerns in a responsible and constructive manner.

Rule 22.02 of the OEB's [Rules of Practice and Procedure](#) require that a person applying for intervenor status satisfy the OEB that they have a substantial interest in the proceeding. The OEB finds that as a signatory to the *Model Franchise Agreement*, the Town of Cobourg has a substantial interest in this proceeding.

The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

The OEB's grant of intervenor status to the Town of Cobourg shall not be taken as an indication that all of the issues outlined in its intervenor requests are within the scope of this proceeding.

The Town of Cobourg is reminded that this is not a generic hearing. The scope of this proceeding will be focused on the OEB's consideration of Enbridge Gas's request for the renewal of its franchise agreement with (and a new certificate of public convenience and necessity for) the Town of Cobourg based on the terms and conditions of the *Model Franchise Agreement*. This proceeding will consider the views of the Town of Cobourg as to whether there are compelling reasons to deviate from the terms and conditions of the *Model Franchise Agreement*. Broad issues that may have implications for communities and natural gas consumers across Ontario, which are not specific to the Town of Cobourg, will not be within the scope of this proceeding.

The Town of Cobourg is reminded that the OEB issued a letter on October 15, 2025, that announced its intentions to commence a generic proceeding to review the *Model Franchise Agreement* in 2026. The OEB noted that issues have surfaced in recent franchise agreement proceedings as to the continued suitability of certain terms and conditions of the *Model Franchise Agreement*. Generic issues that are not specific to the Town of Cobourg for which the franchise agreement is sought have been

considered out of scope in individual franchise proceedings. The exact scope of this generic proceeding has not yet been determined, although it is expected to be narrow and informed by recent *Model Franchise Agreement* proceedings. It is also expected to address matters related to the implementation of any changes to the *Model Franchise Agreement* as they relate to existing municipal franchise agreements. Further details will follow in due course.

Filing of Intervenor Evidence

The Town of Cobourg indicated in its intervenor request that it was not in a position at that time to confirm whether it would file evidence. It also stated that, should it decide to file evidence, the evidence would address the issues it has identified.

The OEB will make a determination on any request to file evidence in the current proceeding, and any process associated with that request, at a later date.

Interrogatories

Provision is being made for written interrogatories. 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.

Parties should not engage in detailed exploration of items that do not appear to be material.

Limits on Interrogatories and Submissions

The OEB may impose a limit on the number of interrogatories (or sub-parts of interrogatories) that may be filed by a party or on the length of a submission. If the OEB imposes limits, details will be provided through future Procedural Orders as may the consequences for failure to adhere to the limits.

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. OEB staff, and the Town of Cobourg may seek information from Enbridge Gas that is in addition to the evidence filed with the OEB and that is relevant to the hearing, by means of written interrogatories filed with the OEB, and delivered to all parties, by **March 12, 2026**.

2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories, and deliver those responses to all parties, by **March 19, 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-2025-0329**) 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, **March 2, 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-2025-0329
March 2, 2026

Enbridge Gas Inc.
EB-2025-0329

APPLICANT & LIST OF INTERVENORS

March 2, 2026

APPLICANT

Rep. and Contact Information for Service

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Enbridge Gas Inc.

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INTERVENORS

Rep. and Contact Information for Service

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of Cobourg**

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