Ontario Energy Board | Commission de l'énergie de l'Ontario

EB-2025-0323

Enbridge Gas Inc.

Application for exemption from leave to construct natural gas pipeline and associated facilities in the United Counties of Leeds and Grenville

PROCEDURAL ORDER NO. 1
March 3, 2026

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on December 12, 2025, under subsection 95 (2) of the *Ontario Energy Board Act*, *1998*, (OEB Act) for an order exempting Enbridge Gas from the requirement to obtain leave to construct natural gas pipelines and facilities in the Village of Merrickville-Wolford, in the United Counties of Leeds and Grenville, Ontario. The proposed project consists of approximately 2 kilometres (km) of Nominal Pipe Size (NPS) 2 and 4 polyethylene (PE) natural gas pipeline to tie into Enbridge Gas's existing network near the intersection of St. John Street and Brock Street West in the Village of Merrickville-Wolford (the Project). The Project is expected to cost $3.4 million and serve approximately 55 customers in the Village of Merrickville-Wolford.

The application will be heard by Commissioners: James Sidlofsky (presiding), Allison Duff and David Sword.

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 January 22, 2026, the OEB issued a Notice of Hearing to Algonquins of Ontario.[1] The Notice of Hearing provided an opportunity for Algonquins of Ontario to actively participate in the hearing as an intervenor by filing a Notification Letter with the OEB. Alternatively, Algonquins of Ontario could express its view on the application without engaging as an intervenor, by filing a Letter of Comment with the OEB. The Notice of Hearing also provided the Algonquins of Ontario 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.

As stated in the Notice of Hearing, the deadline to apply as an intervenor (by Notification Letter) was February 16, 2026. Algonquins of Ontario did not apply for intervenor status.

In the cover letter to its application, Enbridge Gas requested confidential treatment for names and contact information of property owners and stated this is associated with "Personal Information". Enbridge Gas stated the confidential treatment request is made in pursuant to the OEB's *Practice Direction on Confidential Filings*. The OEB agrees that the personal information identified by Enbridge Gas—including property owners' names, addresses, and contact details—is subject to confidentiality and may remain redacted.

The issue the OEB must decide in this proceeding is whether the Crown's duty to consult has been sufficiently discharged with respect to the Project. In order to assist the OEB in making this determination, Enbridge Gas is directed to file an updated Indigenous Consultation Report (ICR) that includes any consultation activities since November 26, 2025 (day the ICR is dated), and any correspondence from the Ministry of Energy and Mines on Enbridge Gas's consultation activities by the date set in this Procedural Order.

Provision is also being made for written interrogatories from OEB staff.

Further procedural orders may be issued by the OEB.

[1] The Ministry of Energy and Mines identified the Indigenous community potentially affected by the proposed project in a Delegation Letter to Enbridge Gas.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Enbridge Gas shall file an updated ICR and any correspondence from the Ministry of Energy and Mines on Enbridge Gas's consultation activities with the OEB, by **March 10, 2026**.

2. 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, by **March 17, 2026**.

3. Enbridge Gas shall file with the OEB complete written responses to all interrogatories, by **March 31, 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-2025-0323)** 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, Arturo Lau at Arturo.Lau@oeb.ca and OEB Counsel, Stephanie Pope at Stephanie.Pope@oeb.ca.

Email: registrar@oeb.ca
Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **March 3, 2026**

ONTARIO ENERGY BOARD

By delegation, before: Ritchie Murray

Ritchie Murray

Digitally signed by Ritchie Murray
Date: 2026.03.03 09:49:59 -05'00'

Ritchie Murray
Acting Registrar