

Elson Advocacy

March 20, 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 a response to Enbridge's objections to the proposed evidence of the Climate Network Lanark.

Local Consumer Impacts

As noted in our letter of March 31, 2026, 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.

Enbridge argues that this evidence is irrelevant because Lanark County has provided a letter of consent. However, the OEB has not yet ruled on whether the requirement under NGEPA 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. This was noted in our letter of March 1, 2026, and not addressed by Enbridge in its response. The views of local residents are relevant, among other things, to the question of whether Enbridge has met the NGEPA and OEB requirements relating to municipal consent without securing consent from all of the impacted municipalities.

The evidence regarding Enbridge marketing is relevant to conditions of approval that CNL will seek that would require Enbridge to issue corrections to false information disseminated through Enbridge marketing, with the corrections to be sent to all potential customers along the pipeline route. Enbridge argues evidence on marketing is redundant because marketing is being addressed in the Enbridge rebasing phase III hearing. However, the rebasing hearing concerns the latest updated materials disseminated provincially, whereas CNL is concerned about corrections to

information sent out over a longer period in this specific geographic location. The issues and the relief sought are different.

Evidence Contesting the Revenue and Customer Connection Forecasts

As noted in our letter of March 1, 2026, 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 a 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 correctly points out that similar evidence was disallowed in other recent cases, and that Environmental Defence's attempted appeal to the Divisional Court was not successful. However, it remains the case that both the survey evidence and the affidavit evidence regarding factors that may have a potential impact on the number of connections are both relevant and important.

The central issue in this case is 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 proposed evidence goes to those central issues, and could result in a variety of different outcomes, including strengthened conditions of approval that would better insulate existing customers from the risk of under-recovery of revenue. Although we understand that the OEB has disallowed similar evidence proposed by Environmental Defence in the past, CNL is nevertheless proposing to file survey evidence because it is both central to the issues in this case and to the important local interests that CNL represents.

Yours truly,

A handwritten signature in blue ink, appearing to read 'K. Elson', written over a horizontal line.

Kent Elson