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

BY EMAIL

April 8, 2026

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

Dear Ritchie Murray:

Re: Ontario Energy Board (OEB) Staff Comment
Enbridge Gas Inc. – Merrickville-Wolford Community Expansion Project – Application for Exemption from Leave-to-Construct (LTC) Requirement
OEB File Number: EB-2025-0323

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 (Project) in the Village of Merrickville-Wolford, in the United Counties of Leeds and Grenville, Ontario.

On April 14, 2023, the Ministry of Energy and Mines[1] (Ministry) issued its delegation letter, delegating the procedural aspects of the Crown's duty to consult in relation to the Project to Enbridge Gas, and identifying Algonquins of Ontario as a community to be consulted.

Two additional indigenous communities were subsequently included in the consultation:

- Algonquins of Pikwakanagan First Nation
- Mohawk Council of Akwesasne

On March 3, 2026, the OEB issued Procedural Order No. 1, which set out a schedule for written interrogatories on Enbridge Gas's evidence and directed Enbridge Gas to file

[1]Formerly the Ministry of Energy

an updated Indigenous Consultation Report (ICR) and any correspondence from the Ministry regarding Enbridge Gas's consultation activities.

In accordance with Procedural Order No. 1, Enbridge Gas filed an updated ICR on March 10, 2026. OEB staff filed interrogatories on March 17, 2026 and Enbridge Gas filed interrogatory responses on March 31, 2026.

Abeyance Request

The *Environmental Guidelines for Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario* indicates that prior to the record of the proceeding being closed, the Ministry will provide a letter (Letter of Opinion) to the applicant expressing its view on the adequacy of Indigenous consultation based on materials provided to the Ministry. The applicant is expected to file the Letter of Opinion with the OEB. To date, it has not been filed.

Consistent with recent practice[2], OEB staff submits that this proceeding should be placed into abeyance to allow for the Ministry's Letter of Opinion to be placed on the record, before further procedural steps take place such as OEB staff's submission and Enbridge Gas's reply submission.

If any new information arises as a result of a further filing by Enbridge Gas related to the duty to consult, OEB staff may file additional correspondence with its view on the appropriate next steps. For this reason, OEB Staff submits that it would be appropriate for further procedural steps to resume after the Ministry's Letter of Opinion has been filed.

Yours truly,

Arturo Lau
Digitally signed by Arturo Lau
Date: 2026.04.08 10:36:29 -04'00'

Arturo Lau
Senior Advisor, Natural Gas Applications

c: All Parties

[2] Humber Station Community Expansion Project (EB-2025-0270)