



Ontario
Energy
Board | Commission
de l'énergie
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BY EMAIL

April 23, 2026

Ritchie Murray
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 Request for Abeyance
Enbridge Gas Inc. – Cedar Springs Community Expansion Project
Application for Exemption from Leave-to-Construct (LTC) Requirement
OEB File Number: EB-2025-0313**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on November 19, 2025, under sections 95(2) of the *Ontario Energy Board Act, 1998*, for an order granting an exemption from the requirement to obtain leave to construct approximately 3.2 kilometres of natural gas pipelines and ancillary facilities in the Cedar Springs community, located in the City of Burlington (the Project).

As part of the pre-filed evidence in this proceeding, Enbridge Gas filed the delegation letter from the Ministry of Energy and Mines (Ministry), dated October 19, 2021, in which the procedural aspects of the Crown's duty to consult in relation to the Project were delegated to Enbridge Gas. The delegation letter identified the following Indigenous communities to be consulted:

- Mississaugas of the Credit First Nation
- Six Nations of the Grand River (Six Nations)
- Haudenosaunee Confederacy Chiefs Council

On February 9, 2026, the OEB issued Procedural Order No. 1 which granted intervenor status and cost award eligibility to Six Nations and set out a schedule for interrogatories and parties' submissions.

On March 18, 2026, Six Nations requested leave of the OEB to file evidence. On March 20, 2026, the OEB issued Decision on Intervenor Evidence and Procedural Order No. 2 granting leave for Six Nations to file its requested evidence. The OEB also canceled the deadlines for parties' submissions and provided for written interrogatories with respect to Six Nations' evidence and for Six Nations to file written responses to any interrogatories.

On March 25, 2026, Six Nations requested an extension for the filing of interrogatories and interrogatory responses. On March 26, 2026, the OEB issued Procedural Order No. 3, which granted the time extension request from Six Nations and changed the procedural schedule accordingly for interrogatories with respect to Six Nations' evidence and responses to any interrogatories. The OEB also stated that it intended to provide for subsequent procedural steps, including parties' submissions, in a future procedural order.

OEB staff filed interrogatories on Six Nations' evidence and Six Nations filed responses in accordance with the dates established in Procedural Order No. 3.

Abeyance Request

The [*Environmental Guidelines for Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario*](#) indicate 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. Enbridge Gas stated in its application that it will file this letter with the OEB upon receipt.¹ To date, the Letter of Opinion has not been filed.

Consistent with recent practice², 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 submissions from OEB staff and Six Nations, 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 the OEB to wait to set a date for the filing of written submissions and reply submissions

¹ Exhibit H, Tab 1, Schedule 1, Attachment 3, Page 1

² Humber Station Community Expansion Project (EB-2025-0270), Merrickville-Wolford Community Expansion Project (EB-2025-0323)

dates and for further procedural steps to resume after the Ministry's Letter of Opinion has been filed.

Yours truly,

Natalya Plummer
Advisor, Natural Gas

c: All Parties