



Ontario
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BY EMAIL

April 24, 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. – Port Colborne Reinforcement Project
Application for Exemption from Leave-to-Construct (LTC) Requirement
OEB File Number: EB-2025-0301**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on November 7, 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 natural gas pipelines to serve an industrial customer in the City of Port Colborne (the Project). The Project involves the construction of approximately 2.65 km of natural gas distribution pipeline and ancillary facilities.

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 April 4, 2025, 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:

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

On January 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.

Procedural Order No. 2, dated January 22, 2026, granted a time extension request from Six Nations and changed the procedural schedule accordingly.

On March 10, 2026, Six Nations requested leave of the OEB to file evidence. On March 12, 2026, the OEB issued Procedural Order No. 3 suspending procedural deadlines in order to address Six Nations' correspondence.

On March 26, 2026, the OEB issued Decision on Intervenor Evidence and Procedural Order No. 4, granting leave for Six Nations to file its requested evidence. The OEB set out further procedural steps including written interrogatories with respect to Six Nations' evidence by April 7, 2026, and for Six Nations to file written responses to any interrogatories by April 22, 2026. In addition, Procedural Order No. 4 set out a schedule for written submissions by Six Nations and OEB staff by May 4, 2026, and written reply submissions by Enbridge Gas by May 15, 2026.

OEB staff filed interrogatories on Six Nations' evidence on April 7, 2026. Six Nations' responses to the OEB staff interrogatories were filed on April 22, 2026.

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 to

¹ Enbridge Gas Inc. Application, Exhibit H, Tab 1, Schedule 1, page1

² Humber Station Community Expansion Project (EB-2025-0270); Merickville-Wolford (EB-2025-0323)

suspend deadlines for written submissions and reply submissions and for further procedural steps to resume after the Ministry's Letter of Opinion has been filed.

Yours truly,

Zora Crnojacki
Senior Advisor, Natural Gas Applications

c: All Parties