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May 1, 2026

VIA RESS AND EMAIL

Ritchie Murray
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
P.O. Box 2319
Toronto, ON M4P 1E4

Dear Ritchie Murray:

**Re: Enbridge Gas Inc. (Enbridge Gas)
Ontario Energy Board (OEB) File: EB-2025-0313
Cedar Springs Community Expansion Project (the Project)
Enbridge Gas Comments on Interrogatory Responses of Six Nations of the Grand
River (SNGR) and OEB Staff Abeyance Proposal**

Enbridge Gas has reviewed SNGR's responses to OEB staff interrogatories filed April 20, 2026, as well as OEB staff's request to put this matter into abeyance, and provides the following comments.

Response to SNGR April 20, 2026 Filing

In its response to OEB staff's questions, SNGR submits that "[t]here has been effectively no substantive consultation between Enbridge and SNGR following the meeting on November 25, 2025" and that "SNGR's concerns have not been addressed or resolved with Enbridge following the November 25, 2025 meeting."

On April 21, 2026, Enbridge Gas and SNGR representatives met to discuss the Project and another Enbridge Gas project currently under review by the OEB. Enbridge Gas representatives who attended the April 21, 2026, meeting understood the discussion to be constructive, focused, and productive. With respect to the Project, Enbridge Gas representatives provided information in the meeting on the Environmental Report process and timing of various environmental studies, and provided an overview of certain measures that could be employed by Enbridge Gas to mitigate any potential impacts, and answered any related questions. Enbridge Gas representatives also explained the route design process and OEB filing timelines. Enbridge Gas maintains that the consultation undertaken to date, including that achieved through this regulatory process itself, has been adequate to discharge the duty to consult.

OEB Staff Abeyance Proposal

In respect of OEB staff's request to have this proceeding placed into abeyance, it is the position of Enbridge Gas that an abeyance is neither appropriate nor necessary. As the OEB has recently said in its Decision on OEB staff's request for an abeyance in the Port Colborne Reinforcement Project, "the absence of a Letter of Opinion will not impede or negatively affect

the completion of the steps in the current procedural schedule.”¹ Enbridge Gas intends to address the OEB’s authority to render a decision in this proceeding in its reply submissions in the event that the MEM has not issued its letter of opinion by that time.

In that regard, Enbridge Gas notes that the OEB’s *Environmental Guidelines for Hydrocarbon Projects and Facilities in Ontario* (Guidelines) outline what is generally included in the procedural aspects of the duty to consult:

- Meeting with Indigenous communities to share the information required for communities to understand and assess the potential impacts on Aboriginal or treaty rights
- Providing reasonable resources for Indigenous communities to participate in consultation
- Responding to questions and concerns raised by Indigenous communities and keeping the Crown apprised of rights assertions by communities
- Maintaining a complete record of all Indigenous consultation activities
- Discussing options to accommodate communities in respect of adverse effects on Aboriginal or treaty rights

Further, the Guidelines explain that the OEB cannot issue a final decision approving an application unless it is satisfied, based on the evidence before it, that the duty to consult has been discharged (emphasis added).² The OEB must make this determination itself and is well-suited to do so even in the absence of a letter of opinion from the MEM. The Guidelines also contemplate that any such letter from the MEM will be provided to the applicant prior to the leave to construct record being closed by the OEB.³ This implies that the MEM must act in a timely manner to provide the letter of opinion (similar to the 25 business day timeframe afforded the MEM for the project delegation letter⁴) and work within the OEB’s procedural timelines, not vice versa. That is, the OEB should not suspend its timelines to accommodate further MEM consultation with Indigenous communities for whom there already exists a robust consultation record before the OEB. To do so introduces unnecessary delay, duplication and regulatory paralysis.

Placing the Project into abeyance would also prejudice Enbridge Gas and potential customers in the community of Cedar Springs who have expressed interest in getting access to natural gas; and such unnecessary delay and uncertainty is contrary to the aims of the province as outlined in its Integrated Energy Plan.

For these reasons, the OEB should not only continue the proceeding with the issuance of Procedural Order No. 4 with timelines for submissions; it should work with its government partner, the MEM, to ensure timely issuance of letters of opinion in this and similar cases and in any event, maintain current performance standards for issuing decisions.

If you have any questions, please contact the undersigned.

¹ EB-2025-0301 OEB Decision on Abeyance Request and Procedural Order No. 5, April 28, 2026, p. 3.

² OEB’s *Environmental Guidelines for Hydrocarbon Projects and Facilities in Ontario*, page 16

³ Ibid., page 18

⁴ Ibid., page 17

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Sincerely,

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Cc: Richard Lanni (Enbridge Gas Counsel)
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