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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 or the Company)
Ontario Energy Board (OEB) File: EB-2026-0009
Generic Review of the Model Franchise Agreement (MFA) for Natural Gas
Enbridge Gas Comments on Intervention Requests**

Enbridge Gas has applied to be an intervenor in the above-noted proceeding and has reviewed the intervention requests from other parties. The OEB's Rules of Practice and Procedures (the Rules) require that "an applicant or other party designated by the OEB may object to a person applying for intervenor status by filing and serving on that person written submissions within 5 calendar days from the intervention deadline."¹ In this proceeding, Enbridge Gas is not the applicant or a designated party. However, as a party to over 340 franchise agreements, and as the accountable party to pay cost claims for potentially 35 intervenors in this proceeding, Enbridge Gas submits that its views on intervention requests are relevant and should be considered by the OEB. In this context, Enbridge Gas offers the following comments.

Grouping of Intervenors

Enbridge Gas is pleased to see the engagement and interest in this proceeding from multiple municipalities, demonstrating the importance of the draft issues list to these stakeholders. That said, with as many as 35 intervenors involved, many of whom indicated that they may wish to file evidence, this proceeding has the potential to become highly complex, lengthy and unwieldy, even with a limited draft issues list. Although many of the individual municipalities have indicated a willingness to collaborate with others to support a more efficient and coordinated regulatory process, very few provided specific groupings that have been established to date.

Enbridge Gas submits that this proceeding would benefit from additional coordination and grouping of intervenors at the outset, facilitated by the OEB or OEB staff. Enbridge Gas believes that the investment of additional time early in this proceeding to align and group intervenors with common interests would pay off in a more efficient regulatory process overall.

Intervention Request of Gord McGuire

Enbridge Gas has reviewed the intervention request of Mr. Gord McGuire, an "independent advisor" who plans to participate as "an individual intervenor" who will "provide [his] own

¹ Rule 22.04

instructions in this proceeding.” Enbridge Gas’s view is that Mr. McGuire’s interest in the issues in this proceeding does not clearly meet the materiality threshold for intervenor status outlined in the Rules.²

Mr. McGuire does not claim to represent the direct interests of a consumer or ratepayer group. While his experience working with municipalities may be relevant subject matter expertise, he does not reveal a unique policy perspective that might be of interest in this proceeding. Enbridge Gas submits that the direct involvement of dozens of municipalities from across the province in this proceeding should provide sufficient insight into the needs and interests of this stakeholder group. Further, Mr. McGuire has no stated interest in land that may be affected by this proceeding, nor does he have stated Aboriginal or treaty rights that could be affected by the outcome of this proceeding.

Should the OEB decide that Mr. McGuire can participate in this proceeding in some capacity, Enbridge Gas requests that the OEB consider denying cost eligibility on the basis described above. Such a decision would be consistent with the OEB’s findings in a recent Decision on Cost Eligibility³ on an intervention request from Vidya Enterprises Inc.,⁴ where the OEB found that, based on Vidya’s confirmation that it does not represent any identifiable group of ratepayers or group representing a particular policy position, eligibility for an award of costs is not appropriate.

Anticipation of Significant Cost Claims

Based on the number of intervention requests, a potentially lengthy proceeding, and the possibility that many intervenors may wish to file evidence, Enbridge Gas anticipates that the sum of cost claims for this proceeding could be significant. In a departure from typical cost award practices for municipalities, the OEB is allowing municipalities or Municipal Groups to receive cost awards for their participation in this proceeding, which could lead to an unusually high proceeding cost. At this time, before the OEB communicates further details on how this proceeding will unfold, it is premature to make specific proposals for possible remedies or mitigations for this scenario. However, Enbridge Gas may make a proposal for a deferral account to record and recover significant new costs related to this proceeding at a future date.

If you have any questions, please contact the undersigned.

Sincerely,



Patricia Squires
Manager, Regulatory Applications – Leave to Construct

Cc: Richard Lanni (Enbridge Gas Counsel)
Natalya Plummer (OEB staff)
Gord McGuire

² Rule 22.02

³ EB-2025-0227 Gas-Electric Co-ordination and Information Sharing, Decision on Cost Eligibility, p. 3.

⁴ Represented by Gord McGuire