



DECISION AND ORDER

EB-2025-0271

ENBRIDGE GAS INC.

**Application for leave to construct a natural gas pipeline in the
Township of Severn and Town of Gravenhurst**

Washago Community Expansion Project

BEFORE: David Sword
Presiding Commissioner

Damien Côté
Commissioner

Robert Dodds
Commissioner

July 21, 2026



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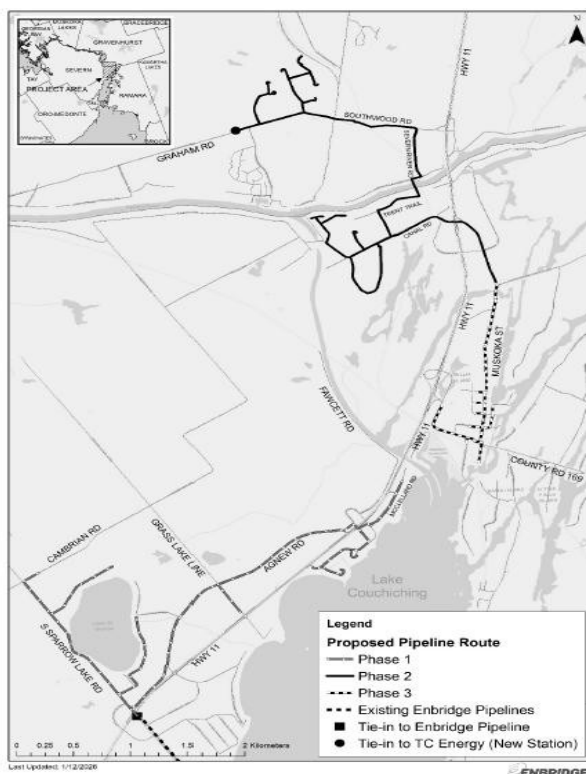
1 OVERVIEW

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on October 7, 2025, under section 90 and 97 of the *Ontario Energy Board Act, 1998*, (OEB Act) for an order granting leave to construct approximately 22 kilometres of natural gas distribution pipelines and associated facilities in the community of Washago and surrounding areas in the Township of Severn and the Town of Gravenhurst (Project).

Enbridge Gas also applied to the OEB under section 97 of the OEB Act for approval of the form of land-use agreements it offers to landowners affected by the routing or location of the Project.

The Project is part of the Natural Gas Expansion Program (NGEP).¹

A general location of the Project is shown on map below:²



¹ EB-2019-0255, OEB's Report to the Minister of Energy, Northern Development and Mines and the Associate Minister of Energy: Potential Projects to Expand Access to Natural Gas Distribution, December 10, 2020.

² Response to OEB Staff interrogatory I.STAFF 2 a), page 1 of 1.

For the reasons that follow, the OEB approves Enbridge Gas' leave to construct application, subject to the conditions of approval in Schedule A of this Decision and Order. The OEB also approves the proposed forms of permanent and temporary land use agreements.

2 APPLICATION SUMMARY AND PROCESS

2.1 Application

The Project subject to the application consists of:

- 4.9 km of Nominal Pipe Size (NPS) 4 polyethylene (PE) Intermediate pressure (IP) natural gas distribution pipeline
- 180 m of NPS 4 Steel IP natural gas distribution pipeline for railway crossings
- 17.1 km of NPS 2 PE IP natural gas distribution pipeline

The following facilities are part of the Project but are not part of the application for approval:

- Ancillary facilities including a new distribution station at the Trans Canada Energy tie-in location and customer services (meters, regulators and service pipelines)

Enbridge Gas has a municipal franchise agreement with each of the Township of Severn³ and the Town of Gravenhurst⁴. Enbridge Gas also holds a Certificate of Public Convenience and Necessity (CPCN) for works within each of the Township of Severn and the Town of Gravenhurst. These franchise agreements and certificates allow Enbridge Gas to construct, operate and add to the natural gas distribution system within all parts of the municipality.

The Project was selected to receive funding, as part of the Ontario Government's Phase 2 NGEP. The NGEP provides funding to Ontario natural gas distributors to expand natural gas to communities that are not currently connected to the natural gas system. Ontario Regulation 24/19⁵ (Expansion of Natural Gas Distribution Systems Regulation), made under the OEB Act, sets out the funding mechanism and specifies the projects selected to receive the government funding as well as the amount of funding allocated to each project.⁶

³ EB-2022-0232, expiring on December 21, 2042.

⁴ EB-2023-0239, expiring on December 23, 2043.

⁵ Ontario Regulation 24/19: Expansion of Natural Gas Distribution Systems, under Ontario Energy Board Act, 1998, S.O. 1998, c. 15 Sched B, current June 8, 2021.

⁶ The Expansion of Natural Gas Systems Regulation sets the mechanism for sourcing the funding of the eligible expansion projects by requiring that rate-regulated natural gas distributors charge each of their customers \$1 per month.

The Project is planned to be constructed in three phases. Enbridge Gas explained that the Project construction phasing is based on the availability of construction crews, seasonal factors and community-specific timelines.

Enbridge Gas provided a construction schedule for the Project. According to the Project Schedule, the OEB's approval is anticipated by the end of July 2026 and construction planned to start about eight months later, in April 2027.⁷ Phase 1 is planned to commence in April 2027 and be placed into service by September 2027. Phase 2 is planned to commence in July 2027 and be placed into service by January 2028. Phase 3 is planned to commence in December 2027 and be placed into service by September 2028.

2.2 OEB Hearing Process

The OEB issued a Notice of Hearing on October 31, 2025. Enbridge Gas served the Notice of Hearing as directed by the OEB.

In Procedural Order No. 1, issued on December 9, 2025, the OEB provided for a written hearing. The OEB did not receive any requests for intervenor status in this proceeding.

On December 12, 2025, Wendat Nation filed with the OEB a letter of comment. On January 22, 2026 Enbridge Gas responded to Wendat Nation's letter of comment.

OEB staff filed interrogatories on December 23, 2025 and Enbridge Gas filed its interrogatory responses on January 22, 2026. Written submission by OEB staff was filed by February 5, 2026. Enbridge Gas' written reply submission was filed on February 19, 2026.

On March 5, 2026, in accordance with the OEB's [Protocol for Adjusting Adjudicative Timelines](#), the OEB issued a letter placing the proceeding in abeyance for a period of 45 calendar days. The rationale for abeyance was that as of that date, Enbridge Gas had not filed with the OEB a letter of opinion from the Ministry of Energy and Mines (Ministry) in respect of the procedural aspects of the Duty to consult indigenous peoples (Letter of Opinion). The 45 calendar days period ended on April 20, 2026. On April 22, 2026, the OEB extended the abeyance period by an additional 30 calendar days to allow for consultation to continue and for filing of the Letter of Opinion. The 30 calendar days period ended on May 22, 2026.

⁷ Exhibit A, Tab 1, Schedule 1, page 3, paragraph 7; Exhibit D, Tab 1, Schedule 1, Attachment 1: Project Schedule.

On May 22, 2026, the OEB received Enbridge Gas' updated application, including the Letter of Opinion, dated May 21, 2026. By letter, dated May 28, 2026, the OEB took the application out of abeyance.

2.3 Confidentiality Request

On January 22, 2026, in the cover letter to interrogatory responses, Enbridge Gas requested confidential treatment for certain information pursuant to the *OEB's Practice Direction on Confidential Filings* (Practice Direction). Specifically, Enbridge Gas requested confidential treatment for information pertaining to personal information located in response to OEB staff interrogatory I.STAFF-6, Attachment 1, page 2 and Attachment 5, pages 1-2. Enbridge Gas also requested confidential treatment of funding amounts associated with Indigenous engagement. Enbridge Gas described this information as "presumptively confidential". This information is located in Enbridge Gas' response to OEB staff interrogatory I.STAFF.11, Attachment 1, line item attachments 5.29, 8.12, 8.14 and 8.17.

No submissions were filed in response to the confidentiality request.

Findings

The OEB grants the request for confidential treatment of information requested by Enbridge Gas. This information falls within the categories of personal information and information that the OEB considers presumptively confidential, as outlined in Appendix B of the Practice Direction.

3 DECISION

Consistent with the [OEB's Standard Issues List](#) for natural gas leave to construct applications, the OEB's decision is structured to address the following issues:

1. Need for the Project
2. Project Alternatives
3. Project Cost and Economics
4. Environmental Matters
5. Land Matters
6. Indigenous Consultation
7. Conditions of Approval

3.1 Need for the Project

Enbridge Gas' evidence supporting the need for the Project included the results of independent market research and Enbridge Gas' community outreach. Enbridge Gas informed that the Project is needed to bring natural gas service to approximately 473 new customers, including 447 residential and 26 commercial customers in the Township of Severn and the Town of Gravenhurst, over ten-year period. The Township of Severn and the Town of Gravenhurst. Both municipalities support the need for the Project.⁸

Forum Research Inc. (Forum Research) was retained to conduct quantitative research to assess the interest in natural gas service to establish the need for the Project.⁹ A total of 296 surveys were completed between July 23, 2023 and August 9, 2023. The results of the Forum Research surveys indicate that 83% of respondents overall are likely (i.e., extremely likely, very likely or likely) to connect to natural gas. Of those likely to connect to natural gas, 78% indicated that they would do so within one year of natural gas service becoming available.¹⁰ Forecasted customer attachments are also informed by current Municipal Property Assessment Corporation data. Enbridge Gas said it would continue to promote the natural gas service to the residents in the Project area to increase customer attachments.

⁸ Exhibit B, Tab 1, Schedule 1, Attachment 2; Letter of Support by the Township of Severn, June 12, 2025; Attachment 3: Letter of Support by the Town of Gravenhurst, September 24, 2025.

⁹ Exhibit B, Tab 1, Schedule 1, Attachment 5: Natural Gas Pipeline Expansion Study: Washago Project, August 2023.

¹⁰ Exhibit B, Tab 1, Schedule 1, page 3-4 of 6, paragraph 10.

Below is the table showing forecast customer attachments to the expanded distribution system over ten years.¹¹

Customer Additions	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Total Forecasted
Conversions											
Residential Units (Singles)	178	112	90	35	10	7	4	4	4	4	447
Commercial (small, medium, large)	0	10	5	5	3	2	1	0	0	0	26
Total	178	122	95	40	13	9	5	4	4	3	473

Enbridge Gas confirmed in response to an OEB staff interrogatory, dated January 22, 2026, that the forecast of customer attachments has not changed since Enbridge Gas filed the application on October 7, 2025.¹² Enbridge Gas continues to monitor factors, such as adjustments for the Extra Length Charge and validation field validation of serviceability. These factors may result in refinement of the forecast attachments. Enbridge Gas has committed to promoting natural gas service to residents in the Project area.

OEB staff submitted that Enbridge Gas has established the need for the Project. OEB staff noted that the Project is supported by the Township of Severn and the Town of Gravenhurst. OEB staff noted that the need for the Project is further supported by the fact that the Project was selected by the Ontario Government as one of the community expansion projects to receive NGEP funding in support of the government's efforts to provide access to natural gas distribution service to unserved communities in Ontario.

OEB staff noted that the Government of Ontario released its Integrated Energy Plan, *Energy for Generations*, on June 25, 2025 (IEP). The IEP includes Natural Gas Policy Statement, affirming the role of natural gas as part of Ontario's energy mix and notes that "homeowners in rural and northern areas who do not have access to natural gas, want the option to have it through expansion of the natural gas network."¹³ OEB staff submitted that the need for the Project, supported under NGEP, is aligned with this policy.

¹¹ Exhibit B, Tab 1, Schedule 1, page 5, Table 1: Forecasted Customers Attachments for the Project

¹² Enbridge Gas response to I.STAFF-3, a)-c), page 2 of 2

¹³ Integrated Energy Plan, *Energy for Generations*, June 25, 2025, page 96

Enbridge Gas restated in its reply submission that the Project is supported by the municipal governments of the communities that would have natural gas service available by the Project.¹⁴

Findings

The OEB finds that Enbridge Gas has established the need for the Project.

The OEB notes that the Project is supported by the Township of Severn¹⁵ and the Town of Gravenhurst¹⁶, both by way of letters of support issued by their respective mayors.

The Project also received Natural Gas Expansion Project funding from the Government of Ontario to provide access to natural gas distribution service to unserved communities in Ontario.

As for expected demand, the OEB considered Enbridge Gas' forecast regarding the potential percentage take-up of natural gas service in the community, which was based on the market surveys carried out in 2023. The forecast is shown above in Table1: Forecasted Customer Attachments for the Project. The OEB relies on Enbridge Gas' confirmation that the forecast of customer attachments has not changed since Enbridge Gas filed this application.

3.2 Project Alternatives

Enbridge Gas considered facilities alternatives as well as Integrated Resources Planning (IRP) alternatives to the Project. To assess IRP alternatives to the Project, Enbridge Gas applied Binary Screening Criteria set by the OEB approved Integrated Resource Planning Framework (IRP Framework)¹⁷. Enbridge Gas stated that, according to the Binary Screening Criteria set out by the Integrated Resource Plan Framework, Enbridge Gas is not required to develop such a Plan for the Project because the Project is a Community Expansion Project supported by NGEP.

Enbridge Gas considered alternative routes for some segments of the facilities, but an evaluation of the preliminary preferred route determined that the proposed route is the

¹⁴ Reply Submissions of Enbridge Gas Inc., February 19, 2026, page 1, paragraph 2.

¹⁵ June 12, 2025 Letter of Support from Mayor Mike Burkett, Exhibit B, Tab 1, Schedule 1, Attachment 2, Page 1 of 1.

¹⁶ September 24, 2025 Letter of Support from Mayor Heidi Lorenz, Exhibit B, Tab 1, Schedule 1, Attachment 3, page 1 of 1.

¹⁷ EB-2020-0091, OEB IRP Framework (Appendix A of OEB Decision and Orders, July 22, 2021).

most suitable. This determination was supported by the Environmental Report filed with the application.

Based on Enbridge Gas' evidence, OEB staff submitted that the Project is the best alternative to meet the forecasted need. In OEB staff's view, Enbridge Gas appropriately assessed that IRP alternatives are not required to address the forecast need for gas distribution services.

Findings

The OEB finds that the alternative proposed by Enbridge (e.g., the Project) is the best alternative to satisfy the established need in the current case.

The OEB is satisfied that Enbridge Gas appropriately considered Integrated Resources Planning alternatives to the Project, applying the Binary Screening Criteria set by the OEB¹⁸. The OEB accepts Enbridge Gas' position that it is not required to develop an Integrated Resource Plan for the Project because the Project is a Community Expansion Project supported by the Natural Gas Expansion Program.¹⁹ This is consistent with other similar applications, as Enbridge Gas notes in its submission.²⁰

The OEB finds that the route proposed by Enbridge Gas is the most suitable. In arriving at this finding, the OEB accounts for the factors considered by Enbridge Gas in the Environmental Report submitted as part of this application²¹, notably the avoidance of the registered archaeological site BeGu-29, and stakeholder feedback received during engagement and consultation.

¹⁸ Established by the OEB approved Integrated Resource Planning Framework, from EB-2020-0091 issued on July 22, 2021.

¹⁹ EB-2020-0091, Decision and Order, Enbridge Gas Inc. Integrated Resource Framework Proposal, July 22, 2021, Appendix A. and page 48. The IRP Framework states that, "If a facility project has been driven by government legislation or policy with related funding explicitly aimed at delivering natural gas into communities, then an IRP evaluation is not required."

²⁰ Exhibit C, Tab 1, Schedule 1, Page 2 of 3, paragraph 4.

²¹ Exhibit F, Tab 1, Schedule 1, Attachment 1, page 176 of 790 "Identification of the Preferred Route".

3.3 Project Cost and Economics

Total Project cost is estimated to be \$28.1 million, consisting of \$22.9 million for the pipeline facilities, for which the approval is sought, and \$5.2 million for the ancillary facilities costs which are not subject to this application.

Item No.	Description	Pipeline Facility Costs Distribution Pipeline	Ancillary Facility Costs ¹	Total Costs
1	Material	214,757	492,997	707,754
2	Construction	14,380,723	3,084,921	17,465,644
3	Outside Services	4,140,628	755,816	4,896,444
4	Land, Permits, Approvals and Consultations	349,282	2,622	351,904
5	Contingency	3,416,916	826,520	4,243,436
6	Sub-Total	22,502,306	5,162,876	27,665,182
7	Interest During Construction	414,535	11,015	425,550
8	Total Project Cost	22,916,841	5,173,891	28,090,732
9	Original Proposed Cost			28,859,544
10	Variance (8-9)			(768,812)

Total Project Costs are lower than the amount estimated in Enbridge Gas' original project proposal to the Government of Ontario for funding under Phase 2 of the NGEP²² by approximately \$768,812. Enbridge Gas explained that the cost variance is mainly due to a decrease in the forecasted pipe lengths and a decrease in forecasted customer attachments, which was a result of field investigations that identified constructability constraints in specific areas.²³

The Estimated Project Costs includes a 20% contingency applied to all direct costs. Enbridge Gas noted that this contingency amount has been calculated based on the

²² EB-2019-0255

²³ Exhibit E, Tab 1, Schedule 1, page 2 of 5, paragraph 3.

risk profile of the Project and that it is consistent with contingency amounts calculated for similar Enbridge Gas Phase 2 NGEP projects.²⁴

Findings

Project Cost

Based on the evidence on this record, including the information related to cost and anticipated demand, the OEB find the Project to be economically viable.

The OEB is satisfied by Enbridge Gas' assertion that, with support from Natural Gas Expansion Program funding as well as the System Expansion Surcharge of of \$0.23 per m³ to customers attaching to the Project for a term of 40 years²⁵, the project can achieve a Profitability Index of 1.04 and is therefore economically viable.

The OEB finds that the total estimated cost of the Project is reasonable and remains in accordance with the application of the regulatory framework established for the NGEP program. However, the OEB notes that the capital requirement for the Project is lower than the original Enbridge Gas proposal in Phase 2 of the NGEP process.

The OEB finds that the provision of a 20% contingency embedded in estimated costs is reasonable and consistent with the contingencies set for other NGEP projects, based on the risk profile of the Project.

Impact to Customers

In reviewing the impacts to customers, the OEB considered the ten-year Rate Stabilization Period during which time Enbridge Gas is responsible for any shortfall in revenues to meet its revenue requirement. Enbridge Gas will bear the risk of the Project customer attachment and capital expenditure forecast.²⁶ This provides some insulation against possible under achievement of Enbridge Gas' customer sign-up or consumption forecasts.

²⁴ Enbridge Gas response to I.OEB Staff-5 a) and b) page 2 of 2.

²⁵ Exhibit E, Tab 1, Schedule 1, Plus Attachments, page 3 of 5 at para 10.

²⁶ Exhibit E, Tab 1, Schedule 1, Plus Attachments, page 4 of 5 at paragraph 12.

In the first rebasing following the expiration of the Rate Stabilization Period, the OEB will review the actual project costs and revenues and determine what amount should be included in rates.

The subsidy or contribution to the expansion of service provided in O. Reg. 24/19 is specific and limited and does not abrogate the general principles of utility cost allocation going forward. All options will be available to the OEB in the rebasing following the conclusion of the Rate Stabilization Period with respect to the appropriate rate treatment of potential capital cost overruns and/or lower than forecast customer attachments/volumes (and associated revenues). Enbridge Gas is not guaranteed total cost recovery if actual capital costs and revenues result in an actual PI below 1.0.

The OEB also accounts for the value of expanding natural gas service to unserved or underserved communities.

3.4 Environmental Matters

An Environmental Report for the Project²⁷ was included in Enbridge Gas' application, in accordance with the OEB's Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition, 2023 (Environmental Guidelines).

Stakeholder Engagement

Enbridge Gas stated that the Environmental Report was circulated to the Ontario Pipeline Coordinating Committee, municipalities, conservation authorities, and Indigenous communities on July 6, 2025. Enbridge Gas filed the comments received on the Environmental Report as part of its evidence.²⁸ Enbridge Gas continued stakeholder engagement after filing its application. In response to OEB staff interrogatories, Enbridge Gas filed updated log of stakeholder consultation from September 9, 2025, to December 15, 2025.²⁹ There are no outstanding concerns recorded in the updated post-filing consultation log.

According to Enbridge Gas, the mitigation measures and monitoring and contingency plans set out in the Environmental Report and additional mitigation measures provided

²⁷ Exhibit F, Tab 1, Schedule 1, Attachment 1: Washago Community Expansion Project Environmental Report.

²⁸ Exhibit F, Tab 1, Schedule 1: Environmental Report, Appendix G: Stakeholder Engagement Logs.

²⁹ Response to I.STAFF-6 page 1 and Attachment 1: Post-Filing Stakeholders Consultation Log, pages 1-2.

by regulatory agencies through the permitting and approval process, construction of the Project will have negligible impacts on the environment. Enbridge Gas also stated that no significant environmental or cumulative effect would be caused by the Project.³⁰

Safety Considerations

On August 18, 2025, Enbridge Gas sent an application for the design of the proposed facilities to the Technical Standards & Safety Authority (TSSA). In response to OEB staff interrogatories³¹ Enbridge Gas indicated that the TSSA has completed the review of technical design of the Project and found it complies with the applicable regulations and standards. The TSSA's review letter with an attached report was submitted on the record.³²

Archeological Impacts

Enbridge Gas stated that Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment and the Stage 1 Archaeological Assessment (AA) have been submitted to the Ministry of Citizenship and Multiculturalism for review. A Stage 2 Archaeological Assessment was planned for spring of 2026, after which the results will also be submitted for review.

The Stage 1 AA report is included in the Environmental Report. Consulted Indigenous communities had the opportunity to review the Stage 1 AA Report as part of the Environmental Report review. No comments were received from the Indigenous communities on the Stage 1 AA Report. Enbridge Gas will notify the Indigenous communities in advance of the scheduled Stage 2 AA survey and will offer participation in the field studies. Enbridge Gas stated it will consider the comments and input of Indigenous communities and mitigation measures if Stage 2 AA survey identifies archaeological resources.³³

Mitigation

OEB staff submitted that Enbridge Gas has completed the Environmental Report in accordance with the Environmental Guidelines. OEB staff noted that Enbridge Gas continues to respond to any comments by the stakeholders and Indigenous communities related to the Project's environmental assessment. OEB staff had no

³⁰ Exhibit F, Tab 1, Schedule 1, page 5 of 6, paragraph 15.

³¹ Response to I.STAFF-8 a)-b).

³² Response to I.STAFF-8 a),and b) and Attachment 1, page 2 of 2, Washago Community Expansion Project – TSSA File WO# 147700020, October 1, 2025.

³³ Exhibit F, Tab 1, Schedule 1, page 6 of 6, paragraphs 18-19.

concerns about the environmental aspects of the Project, based on Enbridge Gas' commitment to implementing the mitigation measures set out in the Environmental Report.

OEB staff submitted that Enbridge Gas' compliance with the OEB's standard conditions of approval for leave to construct natural gas projects will ensure that impacts of pipeline construction are mitigated and monitored. OEB staff noted that the conditions of approval also require Enbridge Gas to obtain all necessary approvals, permits, licences, and certificates needed to construct, operate and maintain the Project

Findings

The OEB finds that Enbridge Gas has completed the Environmental Report in accordance with the Environmental Guidelines.

The OEB accepts Enbridge Gas' conclusion that the "Project will have negligible impacts on the environment. No significant environmental or cumulative effects are anticipated from development of the Project."³⁴ The OEB expects Enbridge Gas to implement the mitigation measures identified in the Environmental Report, as well as any additional mitigation measures to which it has committed.³⁵

The OEB also notes that the standard conditions of approval for leave to construct require Enbridge Gas to obtain all necessary approvals, permits, licences, and certificates needed to construct, operate and maintain the proposed Project.

The OEB notes Enbridge Gas' scheduled State 2 Archeological Assessment for Q2 of 2026, prior to construction and its commitment to invite Indigenous communities to participate in the related field work. In particular, the OEB relies on the January 22, 2026 from Enbridge Gas on this record in which Enbridge Gas commits to conducting additional Archaeological Assessments for the Project as required and to offer opportunities to Wendat Nation to participate in such Archaeological Assessments in a timely manner.³⁶

3.5 Land Matters

The Project plans to follow the public road allowance for the majority of the proposed pipeline route. Municipal consent to construct within road allowances will be needed

³⁴ Exhibit F, Tab 1, Schedule 1, Plus Attachment, page 5 of 6 at para 15.

³⁵ Exhibit F, Tab 1, Schedule 1, Plus Attachment, page 4 of 6 at para 13-15.

³⁶ January 22, 2026 Enbridge Gas Letter to OEB.

from the Township of Severn and the Town of Gravenhurst.³⁷ Enbridge Gas may require permanent easements and will ensure that all necessary agreements are required in advance of the commencement of construction. Enbridge Gas will also need to obtain rights for temporary working areas at locations to be determined by the construction contractor.

The evidence on this record includes forms of permanent and temporary land use agreements Enbridge Gas has offered or will offer to the directly impacted landowners.³⁸ The forms of these agreements have been previously approved by the OEB for use in Enbridge Gas' Ridge Landfill RNG Project.³⁹ Enbridge Gas seeks approval for these forms of agreement pursuant to section 97 of the OEB Act.

OEB staff submitted that the OEB should approve the proposed forms of easement agreement and temporary working area agreement as both were previously approved by the OEB.

Findings

In respect of the route, the OEB notes that public road allowances will be followed for the majority of the proposed route, which reduces the environmental impact, as well as the need for new land rights. No landowner intervened in this proceeding.

The OEB notes Enbridge Gas' intention to obtain municipal consent from the Town of Gravenhurst and the Township of Severn, and that all necessary agreements for easements to lands, and temporary working rights, along the proposed route will be in place before construction begins.⁴⁰

The OEB approves the proposed forms of permanent and temporary land use agreements. The OEB notes that the forms of land agreements proposed by Enbridge Gas are standard forms that the OEB has approved in past projects.

If permanent easements are required, the approved forms of permanent easement agreement provide Enbridge Gas flexibility.

³⁷ Exhibit G, Tab 1, Schedule 1, page 1 of 3, paragraph 2.

³⁸ Exhibit G, Tab 1, Attachment 1 and Attachment 2.

³⁹ EB-2022-0203, Exhibit G-1-1, Attachment 2 and Attachment 3.

⁴⁰ Exhibit G, Tab 1, Schedule 1, Plus Attachments, Page 1 of 3 at paragraphs 2 and 3.

3.6 Consultation with Indigenous Peoples

Overview of process

In accordance with the Environmental Guidelines, on October 15, 2024, Enbridge Gas contacted the Ministry in respect of the Crown's duty to consult related to the Project.⁴¹

The Ministry, by way of letter dated January 17, 2025, delegated the procedural aspects of the Crown's duty to consult for the Project to Enbridge Gas (Delegation Letter). In the Delegation Letter, the Ministry identified the following ten Indigenous communities to be consulted in relation to the Project⁴²:

- Alderville First Nation
- Chippewas of Beausoleil First Nation
- Chippewas of Georgina Island First Nation
- Chippewas of Rama First Nation
- Curve Lake First Nation
- Hiawatha First Nation
- Huron Wendat Nation (Wendat Nation)
- Mississaugas of Scugog Island First Nation
- Kawartha Nishnawbe First Nation
- Metis Nation of Ontario Region 7

Level of Consultation Owed

The Ministry's Delegation Letter provided its preliminary assessment of the level of consultation to be conducted by Enbridge Gas for each of the ten Indigenous Communities. The Ministry assessed the level of consultation at low for Huron-Wendat Nation and at a moderate level for the remaining nine Indigenous communities and Nations.

The Delegation Letter states that Enbridge Gas should inform the Ministry if, during the consultation, information warranting a deeper level of consultation becomes available. In that instance, Enbridge Gas must contact the Ministry for updated guidance. In response to OEB staff interrogatories, Enbridge Gas indicated it did not acquire any

⁴¹ Exhibit H, Tab 1, Schedule 1, Attachment 1.

⁴² Exhibit H, Tab 1, Schedule 1, Attachment 2.

additional information that would suggest a deeper level of consultation than as set in the Delegation Letter by the Ministry.⁴³

Notice of Project

On March 4, 2025, Enbridge Gas sent, via email, a Notice of Upcoming Project to the identified Indigenous communities. Enbridge Gas also published the Notice of Upcoming Project in Orillia Matters from March 28, 2025 to April 17, 2025.

In addition to the Notice of Upcoming Project Enbridge Gas provided the ten communities with the following information⁴⁴:

- Project Initiation Letter, including an overview of the proposed Project and a list of potential authorizations
- Maps of the Project location
- Notice of Study Commencement with information on the environmental review process, In-Person Information Session and Virtual Information Session
- Environmental Report
- Draft Stage 1 Archaeological Assessment

On October 31, 2025, Enbridge Gas directly served the OEB's Notice of Hearing to all the above noted Indigenous communities, as directed by the OEB in its Letter of Direction.

Following the receipt of notice, none of the potential impacted Indigenous communities sought to participate as intervenors in the proceeding.

Capacity Funding

Enbridge Gas offered capacity funding to each of the ten Indigenous communities identified as potentially impacted by the Project.

Enbridge Gas notes that capacity funding will support technical review of project documents and engagement in meaningful consultation. This may include the review of reports such as the Environmental Report and the Archaeological Assessment and also allow for onsite monitoring of archeological surveys.

⁴³ Response to I.STAFF-11 b).

⁴⁴ Response I.STAFF-11, Attachment 2, pages 1-10.

Of the ten Indigenous communities that have been offered capacity funding, Alderville First Nation, Curve Lake First Nation, Mississaugas of Scugog Island First Nation and Wendat Nation accepted the capacity funding.

Consultation Activities

Enbridge Gas' modes of consultation with Indigenous communities included emails, virtual meetings and in person meetings. Enbridge Gas met virtually or in person with Wendat Nation, Chippewas of Georgina Island First Nation and Curve Lake First Nation.⁴⁵

In its submission, filed on February 5, 2026, OEB staff observed that Enbridge Gas' consultation with the Indigenous communities has been ongoing and that Enbridge Gas, in its application, has committed to continue engagement with the Indigenous communities during the life of the Project.⁴⁶

Indigenous Consultation Report

Pursuant to the OEB Environmental Guidelines, Enbridge Gas filed an Indigenous Consultation Report (ICR) with its application describing the consultation activities it had undertaken and a description of what, if any, accommodation is proposed with respect to the Project.⁴⁷

The initial Indigenous Consultation Record, which summarized consultation activities and communications from January 13, 2025 to August 25, 2025, was updated on January 22, 2026, to include consultation activities and communication as of January 19, 2026.⁴⁸

Issues, Comments and Concerns

The Indigenous Consultation Record summarizes and documents concerns, issues and inquiries raised by the Indigenous communities and Enbridge Gas responses during the consultation up to January 19, 2026.

⁴⁵ Response to I.STAFF-11 e)

⁴⁶ Exhibit H, Tab 1, Schedule 1, page 4

⁴⁷ Enbridge Gas Inc. Application, Exhibit H, Tab 1, Schedule 1, Attachment 5, Indigenous Consultation Report, Summary Tables, pages 1-3 and Attachment 6, Indigenous Consultation Report, pages 1-145.

⁴⁸ Response to STAFF-11, Attachment 2, ICR, January 19, 2026, pages 1-10

Curve Lake First Nation

The updated Indigenous Consultation Record shows Curve Lake First Nation as the only Indigenous community that provided concrete requests and comments on the Environmental Report.⁴⁹ In its Reply Submission, Enbridge Gas noted that it met with Curve Lake First Nation and also responded in writing to their questions and concerns. To address the concerns raised by Curve Lake First Nation, Enbridge Gas has committed to: (i) implement certain wildlife mitigation measures; (ii) provide figures showing ecological land classifications and temporary laydown areas; (iii) provide certain notifications; (iv) provide post construction monitoring reports and other information related to restoration; (v) implement certain contingency plans; and (vi) offer an opportunity to participate in post construction site visits.⁵⁰

Wendat Nation

On December 12, 2025, Wendat Nation filed a Letter of Comment to inform the OEB of specific concerns regarding receipt of the Environmental Report and Stage 1 AA and Stage 2 AA reports during the planning phase. Wendat Nation's letter of comment included, among other things, a request that Enbridge Gas provide Stage 2 AA report to Wendat Nation 30 days prior to the submission of the Environmental Report for stakeholder review.

Enbridge Gas responded to Wendat Nation's comments in a letter dated January 22, 2026, filed separately on the record and included it in response to OEB staff interrogatories. In its response, Enbridge Gas clarified the rationale for conducting Stage 2 AA surveys after the completion of the Environmental Report, when the final preferred route has been determined. Enbridge Gas also noted that this approach aligns with the OEB Environmental Guidelines. Enbridge Gas explained that timing and location of Stage 2 AA surveys would minimize unnecessary or premature ground disturbance.⁵¹

⁴⁹ Response to I.STAFF-11, Attachment 1, January 19, 2026, pages 18-27 of 571 and Attachment 2, ICR: Summary Tables, January 19, 2026, pages 1-10; and pages 3-4 out of 10.

⁵⁰ Enbridge Gas Inc. Reply Submission, February 19, 2026, paragraph 6, page 3 of 6.

⁵¹ Response to I.STAFF-13, Attachment 1, Enbridge Gas Response to Wendat Nation Letter of Comment, pages 1-4.

OEB staff noted that Wendat Nation had the opportunity to review the Stage 1 AA report during its review of draft Environmental Report.⁵² OEB staff observed that Enbridge Gas has committed to invite all ten Indigenous communities, including Wendat Nation, to participate in Stage 2 AA survey and review the Stage 2 AA report. OEB staff's view was that Enbridge Gas is adhering to the OEB Environmental Guidelines to address the assessment of archaeological resources.

Other Concerns and Comments

Other concerns and comments found in the Indigenous Consultation Record relate primarily to environmental impacts and mitigation, archaeological surveys, and expectations of information sharing related to mitigation, monitoring and restoration of land and waters. Enbridge Gas has committed to ongoing engagement with Indigenous communities in relation to the Project.³⁴ Enbridge Gas has also committed to inviting formally each of the ten consulted communities to participate in Stage 2 AA field surveys.⁵³

Enbridge Gas stated that no Indigenous communities specified Aboriginal or treaty rights that could be adversely impacted by the Project.⁵⁴

Letter of Opinion from the Ministry

Enbridge Gas provided the Indigenous Consultation Record to the Ministry for their review. The Ministry noted it communicated directly with Indigenous communities to further understand any potential impacts to established or asserted Aboriginal and/or treaty rights, and community feedback about satisfaction with Enbridge Gas' responses to concerns or proposed mitigation where appropriate.

After its review, the Ministry concluded that the procedural aspects of consultation delegated to, and undertaken by, Enbridge Gas for the Project were satisfactory.⁵⁵ Accordingly, the Ministry issued its Letter of Opinion to Enbridge Gas on May 21, 2026.

Enbridge Gas filed this Letter of Opinion with the OEB on May 22, 2026 and it has been considered by the OEB as part of its deliberations

⁵² Response to I.STAFF-13, Attachment 1, pages 1-4.

⁵³ Response to STAFF-11 f).

⁵⁴ Response to STAFF-11 a).

⁵⁵ Updated Application, Exhibit H, Tab 1, Schedule 1, Attachment 5, page 1 of 2.

Findings

Subject to Enbridge Gas' fulfillment of its specific commitments to Curve Lake First Nation, and any other commitments to any other Indigenous communities consulted in relation to the Project, the OEB finds that the duty to consult and accommodate Indigenous communities for this project has been satisfied. The submissions related to Wendat Nation are addressed separately below.

Duty to Consult Process

The OEB notes that opportunities for Indigenous peoples to participate directly in the hearing process as intervenors were available; however, none opted to participate in this capacity in the current case. As such, the OEB notes that it relies on the combination of the Letter of Opinion (provided by the Ministry), the pre-filed evidence including the Indigenous Consultation Report (provided by Enbridge Gas), the interrogatory responses related to Indigenous matters, and the Letter of Comment filed by the Wendat Nation⁵⁶ to adjudicate the issues on this record.

In respect of the procedural aspects of the Duty to Consult, the OEB finds on the basis of this record, that they have been satisfactorily discharged by Enbridge Gas.

Issues, Comments and Concerns

The OEB notes the concerns and comments in the Indigenous Consultation Report focused mainly on environmental impacts and mitigation, archaeological surveys, and expectations of information sharing related to mitigation, monitoring and restoration of land and waters.

As reported by Enbridge Gas, no Indigenous communities identified Aboriginal or treaty rights that could be adversely impacted by the Project.⁵⁷ However, the Wendat Nation raised a particular risk of infringement in their December 12, 2025 Letter (emphasis added): "[t]he Stage 2 AA report is, in fact, a critical source of information enabling the Wendat Nation to **evaluate risks of infringement upon its rights** and heritage."

⁵⁶ Dated December 12, 2025.

⁵⁷ Response to STAFF-11 a)

Curve Lake First Nation

Curve Lake First Nation provided requests and comments on the Environmental Report.⁵⁸ To address the concerns raised by Curve Lake First Nation, Enbridge Gas made several commitments⁵⁹ which the OEB expect to be fully implemented.

Wendat Nation

A review of the Enbridge Gas, Wendat Nation, and OEB Staff respective references to the Environmental Guideline in relation to Archeological Assessments reveal different interpretations or emphasis. The excerpt of key relevance is the following (emphasis added):

“If there is potential for archaeological resources in the study area, a combined Stage 1 and Stage 2 archaeological assessment should be completed for the study area during the planning phase. If this is not feasible, at a minimum, a Stage 1 archaeological assessment should be undertaken for the study area during the planning phase. The results of the Stage 1 archaeological assessment should be summarized in the Environmental Report. If the Stage 1 archaeological assessment recommends further archaeological assessment(s), then further stages of archaeological assessment should be completed as early as possible.”⁶⁰

Per the excerpt, “if there is potential for archeological resources in the study area”, then the default case is that a combined Stage 1 and Stage 2 archeological assessment “should be completed for the study area during the planning phase”. This language doesn’t leave much room for discretion, in instances where the condition is satisfied.

In their December 12, 2025 Letter⁶¹, Wendat Nation noted the following (emphasis added):

“Following discussions with the Proponent, the Wendat Nation was compelled to accept that the Stage 2 AA would be conducted **only after the project’s planning phase**, and solely on the final route selected by the Proponent.”

⁵⁸ Response to I.STAFF-11, Attachment 1, January 19, 2026, pages 18-27 of 571 and Attachment 2, ICR: Summary Tables, January 19, 2026, pages 1-10; and pages 3-4 out of 10.

⁵⁹ Enumerated in the previous section.

⁶⁰ OEB’s Environmental Guidelines, page 32.

⁶¹ Wendat Nation Letter, dated December 12, 2025.

Enbridge Gas noted the following in response in their January 22, 2026 response:

“Stage 2 AAs are generally undertaken **after ER submission but prior to construction**, at a stage when investigations can be accurately focused on areas where ground disturbance is proposed.”

The primary distinction between the two perspectives, therefore, relates to the sequencing of the Stage 2 Archeological Assessments, if applicable, in relation to the completion of the Environmental Report.

The OEB accepts Enbridge Gas’ rationale for conducting Stage 2 AA surveys only after the completion of the Environmental Report, when the final preferred route has been determined, as it minimizes unnecessary or premature ground disturbance.

In their January 22, 2026 letter Enbridge Gas committed to the following:

“Enbridge Gas will conduct additional Archaeological Assessments (AAs) for the Project as required and offer opportunities to Wendat Nation to participate in such AAs in a timely manner.”

The OEB understands Enbridge Gas’ commitment of carrying out “additional Archeological Assessments” to mean a Stage 2 Archeological Assessment. However, the concept of a ‘timely manner’ is less clear.

“To ensure that our voice is heard and that our comments are duly taken into consideration in the adjustment of measures, if applicable, we request to receive the Stage 2 AA report when it is under review and to be granted a minimum of 30 days after its receipt to provide our comments. The Wendat Nation also reserves the right to request an extension beyond this 30-day period if deemed necessary by our consultations team.”

Given the above, the OEB finds the following:

- If applicable, the completion of any Stage 2 Archeological Assessment(s) is required prior to construction.
- Any Stage 2 Archeological Assessment(s) will be carried out in accordance with the Environmental Guidelines and other relevant authorities.
- In addition to commitments already made in respect of participation of Indigenous communities in any Archeological Assessments, and in response to the request made the Wendat Nation in this regard, Enbridge Gas will

provide a minimum of 30 days for all Indigenous communities to review and provide comments on Archeological Assessment reports.

- If required and only upon request, a single extension for an additional 15 days may be provided to complete this review.

The OEB notes that Enbridge Gas has committed to invite all ten Indigenous communities to participate in any Stage 2 AA survey and to review the Stage 2 AA report and that the above instruction is generally aligned with its own commitments.

3.7 Conditions of Approval

The OEB has established standard conditions of approval that are typically imposed in leave to construct approvals.⁶² In its application, Enbridge Gas stated that it agrees with all of the standard conditions and has not identified any additional or revised conditions that it wishes to propose for the Project.⁶³

OEB staff submitted that the OEB should approve the Project subject to the OEB's standard conditions of approval.

Findings

The OEB approves the Project subject to Enbridge Gas' compliance with the conditions of approval attached as Schedule A to this Decision.

⁶² Natural Gas Facilities Handbook, Appendix D.

⁶³ Application, Exhibit I, Tab 1, Schedule 1, page 1 of 1.

4 ORDER

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Enbridge Gas Inc. is granted leave, pursuant to section 90(1) of the OEB Act, to construct the proposed natural gas pipeline in the Township of Severn and the Town of Gravenhurst as described in its application.
2. Pursuant to section 97 of the OEB Act, the OEB approves the form of Easement Agreement and Form of Temporary Land Use Agreement that Enbridge Gas Inc. has offered or will offer to each owner of land affected by the Project.
3. Leave to construct is subject to Enbridge Gas Inc. complying with the Conditions of Approval set out in Schedule A.
4. Enbridge Gas Inc. shall pay the OEB's costs of and incidental to this proceeding upon receipt of the OEB's invoice.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto July 21, 2026

ONTARIO ENERGY BOARD

Ritchie Murray
Registrar

SCHEDULE A
DECISION AND ORDER
ENBRIDGE GAS INC.
EB-2025-0271
JULY 21, 2026

**Leave to Construct Application under
Section 90(1) of the OEB Act**

**Enbridge Gas Inc.
EB-2025-0271**

Conditions of Approval

1. Enbridge Gas Inc. shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2025-0271 and these Conditions of Approval.
2. (a) Authorization for leave to construct shall terminate 12 months after the decision is issued unless construction has commenced prior to that date.

(b) Enbridge Gas Inc. shall give the OEB notice in writing:
 - i. of the commencement of construction, at least 10 days prior to the date construction commences
 - ii. of the planned in-service start date, at least 10 days prior to the date the facilities begin to go into service
 - iii. of the date on which construction was completed, no later than 10 days following the completion of construction
 - iv. of the full project in-service date, no later than 10 days after all the facilities go into service
3. Enbridge Gas Inc. shall obtain all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the Project.
4. Enbridge Gas Inc. shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
5. Enbridge Gas Inc. shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Enbridge Gas Inc. shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.

6. Concurrent with the final monitoring report referred to in Condition 7(b), Enbridge Gas shall file a Post Construction Financial Report, which shall provide a variance analysis of project cost, schedule and scope compared to the estimates filed in this proceeding, including the extent to which the project contingency was utilized. Enbridge Gas shall also file a copy of the Post Construction Financial Report in the proceeding where the actual capital costs of the project are proposed to be included in rate base or any proceeding where Enbridge Gas proposes to start collecting revenues associated with the Project, whichever is earlier.
7. Both during and after construction, Enbridge Gas Inc. shall monitor the impacts of construction, and shall file with the OEB one electronic (searchable PDF) version of each of the following reports:
 - (a) A post construction report, within three months of the full project in-service date, which shall:
 - i. provide a certification, by a senior executive of the company, of Enbridge Gas Inc.'s adherence to Condition 1
 - ii. describe any impacts and outstanding concerns identified during construction
 - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction
 - iv. include a log of all complaints received by Enbridge Gas Inc., including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
 - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate, and maintain the proposed project
 - (b) A final monitoring report, no later than fifteen months after the full project in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
 - i. provide a certification, by a senior executive of the company, of Enbridge Gas Inc.'s adherence to Condition 4
 - ii. describe the condition of any rehabilitated land

- iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction
 - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom
 - v. include a log of all complaints received by Enbridge Gas Inc., including the date/time the complaint was received; a description of the complaint; any actions taken to address the complaint; and the rationale for taking such actions
8. Enbridge Gas Inc. shall designate one of their employees as project manager who will be the point of contact for these conditions and shall provide the employee's name and contact information to the OEB and to all affected landowners, and shall clearly post the project manager's contact information in a prominent place at the construction site.