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VIA RESS, EMAIL AND COURIER

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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Attention: Kirsten Walli
Board Secretary

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. (EB-2015-0049) and Union Gas Limited (EB-2015-0029)
Multi-Year DSM Plans (2015-2020)**

BOMA will have questions in each of the areas of evidence of both utilities, where identified in this letter. Otherwise, the questions are, as marked, for either Union or EGD. For convenience, I have tried, where possible, to link questions to BOMA's earlier IRs.

1. On bill financing.
2. What methods, procedures and criteria will the utilities use in delivering their programs to customers that have multiple physical locations throughout their franchises? Do eligibility criteria for programs properly account for multiple facilities under common ownership, or franchisees of the same franchisor.
3. The extent to which the evaluation process for each program places limitation is based on "evidence based results", or does not require the use of evidence based results?
4. The extent to which the utilities' evidence has considered changes to the Ontario Building Code.

5. Union: Which of Union's programs are evidence-based programs? Being evidence-based means the programs' performance (energy and demand savings) are measured (BOMA 23-24).
6. Union and EGD: In the event you had an additional \$10 million, \$20 million, or \$30 million per year for DSM, where would you spend it?
7. Union (BOMA #18):
 - (a) Can Union provide copy of the draft RFP for the system?
 - (b) How much money has been spent to date on the project?
 - (c) How firm is the budget?
 - (d) Will you file the business case when it is completed? When will that be?
8. Union: Why would it not be appropriate to have a common jurisdictional review with EGD with respect to the "pay for performance" approach to utility DSM? (BOMA #6)
9. Union: Can you provide an organization chart similar to the one EGD provided in response to BOMA IR #1? Who is the executive directly accountable for the DSM activity? Discuss in detail the requirement for fourteen additional staff.
10.
 - (a) Union: How many account managers dealing in DSM matters in whole or in part does Union have? How many are assigned to key accounts, and large contract industrial accounts? How many accounts does each manager have, on average? Do contract rate institutional and commercial accounts also have an individual account manager? How many account managers cover those customers?
 - (b) What is the coverage structure for commercial and non-contract institutional customers? How many account managers cover this sector, and which geographic areas do they each cover? On average, how many qualified customers are within each geographic area? What is the range?
11. Will Union make use of Ontario Regulation 397 data in the same manner as EGD? (See Union, BOMA #12).
12. Union and EGD: What is the operational status of the province's Green Button program? Who constitutes the working group?
13.
 - (a) Union and EGD: To what extent have the utilities worked with ESCOs over the last five years? Who are the ESCOs active in each of their service territories? What sectors are the ESCOs most involved in, eg. schools, colleges and universities, hospitals and long-term care, municipal, provincial and federal

- governments/agency buildings, commercial buildings, including, for example, office, retail, warehouse, and industrial?
- (b) What form does their collaboration take?
 - (c) Are utilities familiar with the ESCO business model and contracts, the scope of projects they have done over the last several years, and their success or failure?
 - (d) How do the utilities plan to work with the ESCOs in the future?
 - (e) Do the utilities view the ESCOs as trade allies or competitors, or both? Please explain.
14. Regarding the Optimal Home Program, would Union agree, as part of the 2015-2020 plan, to do representative studies to determine the actual energy performance of homes built to OBC2012 efficiency standards and those built to OBC2012 plus 20% efficiency standards to determine how those results compare to the modelled results?
 15. Union and EGD: Please describe which of Union's proposed programs use measured data to determine the savings promised by the program (BOMA #23 for Union).
 16. BOMA #28 (Union): Why would the static baseline be a necessary condition to participate in the program? A previous DSM program may have lowered the baseline but if the savings are sustainable, the issue should go away, should it not?
 17. EGD Questions: Same question as Union #12, with respect to EGD's Energy Solutions Consultants, key account coverage and major account coverage. How many of them are certified energy managers? (EGD, BOMA #3).
 18. "Run it Right": What efforts is EGD making to get this information from customers necessary to make the required adjustments? Are they not part of participation in the program? What audit reports are being referred to? Please provide copies of them. Please address BOMA's question about the need to address the accuracy of the approved measures list and manufacturer's estimate in some circumstances. Also, please address the importance of the "human factors" such as employee's skills and commitment (EGD, BOMA #9).
 19. Please explain why EGD does not evaluate (for program qualification purposes) all the customers' buildings under common ownership, for example, the consumption of the School Board, not the school, notwithstanding that for ratemaking each property is considered separately (EGD, BOMA #15).
 20. Why does it not make more sense to extend the monitoring period and the incentive to subsequent years to encourage persistence and the commitment (EGD, BOMA #18).

21. EGD: Please explain what EGD is trying to say in the sentence which begins with "Such an analysis would be problematic...". Does EGD agree that in order to have evidence-based conservation and to know if the program has met its savings target, SAVINGS performance must be measured? (EGD, BOMA #19).
22. EGD: How many customers does EGD have that are eligible for:
 - (a) Comprehensive Energy Management.
 - (b) Run it Right.

Are not results for the program currently adjusted to reflect changes in building conditions? Does not data for the evidence filed by Environmental Defence in EB-2012-0451 suggest that building age per sé is not a significant factor in achievable savings? (BOMA #58).
23. BOMA #62:
 - (a) Please elaborate on the competition you have seen between LDC electricity CDM offers and EGD's gas DSM offers.
 - (b) Please discuss potential solutions. Has EGD discussed these solutions with the LDCs?
 - (c) Explain further the first sentence of section (ii) in the IR, cited above.
24. BOMA #20:
 - (a) Will the IT plan allow the capture of gas-fired DG (<10 MW) data, which the government conservation directive to the OPA clarifies as a conservation measure?
 - (b) Would it not be wise to ensure that the IT system is designed to capture the location, nature of, and impact of any efficiency measure which will reduce distribution infrastructure requirements, given that the Ontario government and the Board clearly want to move in this direction?
25. BOMA #53: What is the full personal resource devoted to the low income program?
26. How does EGD propose to obtain Board approval for enhanced incentives, as described in the response to BOMA #31?
27. Can EGD advise of differences between overall small business conditions in Canada and the US, eg. tax treatment of income? Would EGD agree to do research on this issue?

28. BOMA #38: Does EGD intend to measure the actual energy savings of some of the SBD projects completed to compare actual with modelled results?
29. BOMA #39: Can EGD identify the other reports that discuss LEED certification's impact on property values?
30. BOMA #41: Can EGD identify the municipalities that habitually claw back more than 50% of the savings resulting from energy efficiency projects for low income customers? What steps has EGD taken to persuade these municipalities not to do so?
31. BOMA #43: What is EGD's policy on additional incentives, such as the City of Toronto's Green Standard? How does EGD collaborate with other donors on projects eligible for both programs?
32. BOMA #44:
 - (a) Does BOMA have the right under the OPOWER contract to extricate itself from the contract, without damages, if OPOWER does not meet the expected levels of performance, or becomes insolvent?
 - (b) Does OPOWER guarantee specific results in the contract?
 - (c) Please table the OPOWER contract, if necessary, on a confidential basis?
33. BOMA #46: Has the Energy Home Labeling program been fully developed? Are the people, certification, and legal systems in place for its implementation? What remains to be done, aside from proclamation of the regulation/statute?
34. BOMA #27: In how many instances, program by program, does EGD measure savings in:
 - (a) all;
 - (b) some, of the projects.

What is its objective in this regard? In other words, for what percentage of the projects, program by program, does it plan to measure savings? How soon would it start?
35. BOMA #12: Has EGD established a standard form agreement for its collaborative relationship with the LDCs?
36. BOMA #51: Given the acceleration of efforts to establish a GHG cap and trade system, is it not time for EGD to negotiate with the LDCs and the province on carbon credit ownership? What discussions have been held to date?

37. BOMA #54: What staff has EGD dedicated (in whole or in part, percentage) to EGD/LDC collaboration?
38. BOMA #21: What changes in which assumptions would lead to target adjustments?
39. BOMA #34: What accounts for the differences in prescriptive measure incentives for the various sectors?
40. BOMA #60: Please provide details of the "US investor confidence project". Does EGD collaborate with municipalities that provide property tax "secured" financing? How? Has it had discussions with these municipalities?
41. BOMA #66: Please elaborate on each of the three points, in the answers to the IRs. Does EGD play an active role in these deliberations?

BOMA will need approximately two hours for its discovery of the two utilities; approximately one hour for each. We require some flexibility to adjust the total amount as between Union and Enbridge.

Yours truly,

FOGLER, RUBINOFF LLP



Thomas Brett

TB/dd

cc: All Parties *(by e-mail)*