

SCOTT POLLOCK
T 613.787.3541
spollock@blg.com

Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen St, Suite 1300
Ottawa, ON, Canada K1P 1J9
T 613.237.5160
F 613.230.8842
blg.com



Our File # 339583-258

By electronic filing

September 16, 2019

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th floor
Toronto, ON M4P 1E4

Dear Ms. Walli

**Re: Enbridge Gas Inc. (“EGI”)
EB-2018-0305 Enbridge Gas Inc. (“Enbridge Gas”) – 2019 Rate Application (Effective Date)**

We are counsel to Canadian Manufacturers & Exporters (“CME”) in the above-noted proceeding. Pursuant to the Board’s Decision and Order dated September 12, 2019 (the “**Order**”), please consider this letter as CME’s Submissions regarding the effective date for EGI’s 2019 rates.

As stated in the Order, EGI filed their application on December 14, 2018 requesting rates effective January 1, 2019.¹ Indeed, EGI’s application was not declared ‘complete’ until January 8, 2019, a week after EGI’s requested effective date.² Given the short window of time between submitting its application and the requested effective date provided by EGI, CME agrees that a January 1, 2019 effective date would not be appropriate.

While a later implementation date could also be appropriate, CME submits that June 1, 2019 effectively balances ratepayer interests and EGI’s specific circumstances in this case. Specifically, CME notes:

- EGI had some, but not complete control over the timing of their 2019 rate application. EGI received the Board’s determination regarding amalgamation in August of 2018, several months prior to filing their application in EB-2018-0305;
- EGI’s application contained a number of unique, or unusual requests, including one-time adjustments to rate base, changes to Union’s PCI escalator, numerous significant

¹ Ontario Energy Board, Decision and Order, EB-2018-0305, p. 37.

² Ontario Energy Board, Decision and Order, EB-2018-0305, p. 37.

capital projects, and the consideration of spending in the context of an amalgamating utility. Accordingly, it would have been reasonable to conclude that the regulatory process would take longer than usual under the circumstances;

- The Board's normal performance standard for complex incentive rate-setting applications is 165 days. If calculated from the day the application in EB-2018-0305 was complete (January 8, 2019), the Board's performance standard would elapse in the middle of June, 2019; and
- The final determination in EB-2018-0305 was not released until September 12, 2019.

Selecting June 1, 2019, as the effective date for EGI's rates recognizes the fact that the Board's regulatory process requires time in order to ensure that the interests of Ontario's ratepayers and its utilities are protected. While it is later than the effective date requested by EGI, it is significantly earlier than the actual time it took to reach a resolution, and it is earlier than the date prescribed by the Board's performance standard for complex applications of this kind.

Yours very truly

Borden Ladner Gervais LLP



Scott Pollock

- c. Interested Parties (EB-2018-0305)
Alex Greco (CME)

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