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August 13, 2009

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

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. 2010 Natural Gas
Demand Side Management Plan – EB-2009-0154**

We are counsel for the Low Income Energy Network (LIEN), a registered intervenor in the proceeding. These are LIEN's submissions.

BACKGROUND

On April 14, 2009, in anticipation of policy changes pursuant to the *Green Energy and Green Economy Act (GEGEA)*, the Board issued a letter extending the existing natural gas demand side management (DSM) framework for one year. That letter required Enbridge Gas Distribution (EGD) and Union Gas (Union) to file one year DSM plans for 2010.

In a letter dated May 13, 2009, the Board indicated that DSM for low-income energy consumers would be dealt with separately and instructed EGD and Union to remove from their DSM budgets and programs those parts relating to low-income energy consumers. In their evidence and in replies to interrogatories Union and EGD confirmed that they have done this.

DSM budgets and programs targeted to low-income are being dealt with by the Low-Income Energy Assistance Program Working Group in Board Proceeding EB-2008-0150. These submissions are confined to the non low-income DSM budgets and programs the subject of this proceeding.



THE BOARD'S STATUTORY OBJECTIVES

LIEN notes that the *GEGEA* will introduce the following additional statutory objective for gas into section 2 of the *Ontario Energy Board Act*:

To promote energy conservation and energy efficiency in accordance with the policies of the Government of Ontario, including having regard to the consumer's economic circumstances.

Although that provision is not yet in force, it likely will be by 2010 and quite possibly by the time the Board issues its decision in this proceeding. LIEN submits that this new statutory objective informs the Board's decision in this proceeding and also in formulating proposals for natural gas DSM after 2010.

DSM AFTER 2010

LIEN has read the submissions of BOMA and LPMA in the EGD and Union 2010 DSM proceedings respectively (EB-2009-0154 and EB-2009-0166). LIEN agrees that the Board should hold a generic DSM proceeding to address changes to the current DSM framework arising from the *GEGEA* in time to implement effective programs by the beginning of 2011.

EGD'S 2010 DSM BUDGET AND PROGRAMS

Because of the transitional nature of the 2010 DSM programs, LIEN has limited itself to a strategic review. In doing so, LIEN has carefully considered and supports the submissions of the GEC based on the review of its consultant, Chris Neme of the Vermont Energy Investment Corporation, an acknowledged DSM expert.

In particular, LIEN is concerned that EGD has pro-rated its claim for bonus incentives beyond 150% of the goal for individual market transformation metrics. In contrast, GEC's submission notes that Union has made it clear that it believes that there is a 150% cap on incentives for any one market transformation metric.



LIEN submits that EGD's extrapolation above the 150% cap is neither appropriate nor consistent with the current DSM framework and should be denied by the Board.

All of which is respectfully submitted.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Paul Manning', with a large, sweeping flourish at the end.

Paul Manning

cc: Enbridge Gas (Bonnie.Adams@enbridge.com)
All Registered Participants
LIEN

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