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May 22, 2014

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Our File No. 137258

**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., DSM Variance Accounts  
Board File No. EB-2013-0352**

Pursuant to the Decision and Order dated May 1, 2014, please find attached BOMA's submission with respect to the revised calculations.

Yours truly,

**FOGLER, RUBINOFF LLP**

Thomas Brett  
TB/dd  
Encls.

**IN THE MATTER OF** the Ontario Energy Board Act 1998, S.O. 1998, c.15, (Schedule B);

**AND IN THE MATTER OF** an application by Enbridge Gas Distribution Inc. for an order or orders approving the final balances and for clearance of certain Demand Side Management Variance Accounts into rates, within the next available QRAM following the Board's approval.

**Submission of Building Owners and Managers Association, Greater Toronto ("BOMA")**

On May 1, 2014, the Board made the following Order:

- "1. Enbridge shall file revised calculations reflecting the Board's findings in this Decision on, or before May 15, 2014.
2. Board staff and intervenors who wish to file comments on the revised calculations shall do so no later than May 22, 2014.
3. Enbridge shall file responses to the comments of Board staff and intervenors no later than May 29, 2014."

This is BOMA's submission in response to this Order. BOMA is concerned that neither of the issues it presented in its earlier submission were addressed by the Board in its Order.

1. BOMA indicated that it was entirely in disagreement that such customer materials should or could be made public. When our members participate in DSM or CDM programs offered by the utilities or the Ontario Power Authority, they do so understanding the important role of monitoring and verification, but also on the understanding that customer details remain confidential. Like the industrial sector, the commercial building is sector is highly competitive. While our members collaborate on many fronts, exposing commercially sensitive data about individual members' facilities and progress in making energy efficient improvements must remain confidential.
2. Further, BOMA is concerned that other parties to these hearings that support making such information public are appearing to ride roughshod over standards and practices that were previously agreed to by members of the DSM Consultative and

subsequently approved by the Board. BOMA suggests that the Schools Energy Coalition is trying to create additional audit committee after the legitimate committee did its job as to in the approved Terms of Reference, i.e., a second audit committee of the whole intervenor group. This is needless, costly and inappropriate.

As Enbridge Gas Distribution pointed out in its letter to the Board of February 13, 2014:

"This engagement with stakeholders occurs on an ongoing basis, both through the Enbridge DSM Consultative and the Joint Technical Evaluation Committee, both of which are established by **the Terms of Reference for Stakeholder Engagement ("ToR") dated November 4, 2011, which were approved by the Board in EB-2011-0295.**

In terms of the steps leading up to a DSM variance account clearance application, stakeholders are engaged in the early stages with the election by the DSM Consultative of a three-person Audit Committee ("AC") which will become specifically engaged in the review of the Company's DSM results for a particular year. In this case, the DSM Consultative selected representatives from each of GEC, the Low Income Energy Network ("LIEN"), and the Canadian Manufacturers and Exporters ("CME"). The AC was then engaged in respect of the selection of the Independent Auditor and the terms of reference under which the auditor would undertake its review of the Company's DSM results for 2012."