



## Jay Shepherd

Professional Corporation  
2300 Yonge Street,  
Suite 806  
Toronto, Ontario M4P 1E4

### **BY EMAIL**

March 12, 2015  
Our File No. 20150029/49

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

### **Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

### **Re: EB-2015-0029 and EB-2015-0049 – Enbridge and Union DSM Plans**

We are counsel for the School Energy Coalition. Although SEC and other stakeholders are actively involved in discussions with Enbridge and Union Gas about their 2015-2020 DSM Plans, the letters to the Board from Enbridge on March 5<sup>th</sup>, and Union Gas on March 6<sup>th</sup>, were not circulated to SEC or other stakeholders. They have now been brought to our attention, and SEC would like to comment on the requests made.

SEC supports the request by Enbridge for an extension, and opposes the request by Union Gas to bifurcate the proceeding.

It would appear to us that two things are clearly true, and both are consistent with Board policy. First, stakeholder engagement in DSM Plan development is beneficial, and is encouraged by the Board. Second, hearing the two plans in a combined proceeding is not only efficient, but supports the Board's goal of increased co-ordination and integration of conservation programs, whether between the two gas utilities, or between the gas utilities and the electric utilities.

The two utilities have, according to their letters, and our direct experience, taken different approaches to stakeholder engagement on these plans. That is their prerogative. However, the result of that should not be that Enbridge is penalized by being forced to meet a deadline that is inconsistent with their detailed engagement process. Enbridge has sought a short extension,



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which would have two results: a) the Board will get a more complete and thoughtful plan for consideration, and b) the result of the hearing process may be delayed by a month.

We note that this delay may not in fact occur as a result of any Enbridge actions, and maybe not at all. A quick look at the timing of the process indicates that the oral hearing for a filing on April 1<sup>st</sup>, is likely to be in August, assuming no evidence is filed by intervenors. The likelier result is that the hearing would be in September, which is also when a hearing would take place if the filing is May 4<sup>th</sup>. Thus, there may be no delay at all.

In addition, the Enbridge stakeholdering should result in a shorter Enbridge process, because the application may be a higher quality than it would otherwise be. That means that, whatever the completion date for a process commencing April 1<sup>st</sup>, the completion date may well be similar for a process commencing May 4<sup>th</sup>.

The question therefore arises whether it is appropriate for Union Gas to choose a less thorough stakeholdering process, and as a result conclude that its plan should be considered separately from that of Enbridge. In our view, that is not the right answer, and would be detrimental to the interests of both utilities, and the ratepayers. It would also be wasteful of the Board's time, and that of the parties. The Board should not give up its goal of hearing the plans together because the two utilities take different approaches to stakeholder engagement.

SEC therefore requests that the Board continue with its stated approach of a combined hearing, with which most stakeholders agree, and approve the extension requested by Enbridge to accommodate their emphasis on stakeholder engagement. It would appear to us to be appropriate to allow Union Gas the same additional time, if they choose to use it.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**

Jay Shepherd

cc: Wayne McNally, SEC  
Interested Parties