



EB-2015-0267

**Enbridge Gas Distribution Inc.**

**Application for approval of final balances and for clearance of  
certain Demand Side Management deferral and variance  
accounts into rates.**

**PROCEDURAL ORDER NO. 1**

**February 4, 2016**

Enbridge Gas Distribution Inc. (Enbridge) filed an application with the Ontario Energy Board (the OEB) on November 2, 2015 under section 36 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, (Schedule B), for an order or orders approving the final balances in certain 2014 Demand Side Management (DSM) deferral and variance accounts. Enbridge is also seeking the disposition of the balances in these accounts, and inclusion into rates, within the next available Quarterly Rate Adjustment Mechanism following the OEB's approval.

The accounts which are the subject of the application and the balances recorded are as follows:

DSM Incentive Deferral Account	\$7,647,242 (to shareholder)
Lost Revenue Adjustment Mechanism Variance Account	(\$65,339) (to ratepayers)
DSM Variance Account	\$352,502 (to shareholder)

The net balance of the DSM Accounts is \$7,934,405 to be collected from ratepayers.

Enbridge has also applied to the OEB for such final and interim orders and/or accounting orders as may be necessary in relation to clearance of the accounts which are the subject of this application.

**Intervenors**

The OEB issued a Notice of Application and Hearing on December 22, 2015. The following parties applied for intervenor status (\* denotes a request for cost eligibility):

- Building Owners and Managers Association, Greater Toronto (BOMA)\*
- Energy Probe Research Foundation (Energy Probe)\*
- Green Energy Coalition (GEC)\*
- Ontario Sustainable Energy Association (OSEA)\*
- Union Gas Limited

All parties that requested intervenor status in this proceeding are hereby granted intervenor status. The list of parties in this proceeding is attached as Appendix “A” to this Procedural Order. I have also determined that BOMA, Energy Probe, GEC, and OSEA are eligible to apply for an award of costs under the OEB’s *Practice Direction on Cost Awards*.

**Confidentiality**

Pursuant to the OEB’s *Practice Direction on Confidential Filings* (the Practice Direction) and Rule 10 of the OEB’s *Rules of Practice and Procedure*, Enbridge requested that certain redacted information in the reports of its two Custom Project Savings Verification (CPSV) contractors (MMM Group Ltd. and Cole Engineering Group Ltd.) be maintained in confidence. Enbridge filed redacted and confidential un-redacted versions of its application.

Enbridge indicated that information was redacted where it might reveal the identity of program participants, the location of participating facilities, and their internal processes and operations. Enbridge stated that these are either matters of privacy or commercial sensitivity, that it has committed to protect such information, that it is the expectation of custom program participants that this information will be protected, and that Enbridge’s future efforts to attract program participants could be prejudicially impacted if such information is released publicly.

Pursuant to the provisions of the Order below, Enbridge shall provide confidential versions of the evidence to counsel and consultants for intervenors who have signed and filed with the OEB the form of Declaration and Undertaking from the Practice Direction. A process for the filing of written submissions on whether the currently redacted information should remain confidential or be made public is provided below.

**Baseline Boiler Study**

The OEB's [Decision and Order](#) on Enbridge's clearance of its 2013 DSM accounts application (EB-2014-0277) stated the following regarding conducting a baseline heating boiler study:

Enbridge confirmed that the last boiler baseline study completed by Enbridge was done in 2011 and that Optimal recommended that the study be updated. According to Enbridge, the Audit Committee endorsed Enbridge's response which stated that the study would be completed in 2015.

The OEB is supportive of the proposed study in 2015, with the findings being incorporated in the evaluation of the 2014 results.<sup>1</sup>

In its application, Enbridge stated that it raised the issue of incorporating the results of the study in the evaluation of 2014 results with the third party Auditor (Optimal Energy, Inc.) and the Audit Committee. Enbridge noted that the Audit Committee acknowledged that the study could not be completed prior to June 2015 and therefore could not be incorporated in the evaluation of 2014 results. Enbridge further noted that work on this study has been underway through the Technical Evaluation Committee since April 2015 and, despite best efforts, it is likely that the results of the study will not be available until mid-2016.

Subject to any further orders from the OEB related to the baseline boiler study, provision is being made for parties to include, in their written submissions, whether and how best to address the absence of the baseline boiler study in the context of the broader disposition of the DSM Incentive Deferral Account and Lost Revenue Adjustment Mechanism Variance Account.

The OEB is making provision for the following matters related to this proceeding, unless the OEB orders otherwise during the course of the proceeding. The OEB may issue further procedural orders from time to time.

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<sup>1</sup> Decision and Order dated February 26, 2015, page 9.

**IT IS THEREFORE ORDERED THAT:**

1. Enbridge shall provide confidential versions of the evidence to counsel and consultants for parties that have signed and filed with the OEB the form of Declaration and Undertaking from the Practice Direction on Confidential Filings in relation to such evidence.
2. OEB staff and intervenors shall request any information and material from Enbridge that is in addition to Enbridge's evidence, and that is relevant to the hearing, by written interrogatories filed with the OEB and copied to Enbridge and all other intervenors by **February 22, 2016**.
3. Enbridge shall file with the OEB complete written responses to the interrogatories and copy intervenors by **March 7, 2016**.
4. OEB staff and intervenors may file a written submission on whether the information filed confidentially should remain confidential or be placed on the public record of this proceeding on or before **February 22, 2016**.
5. Enbridge may file a written reply to any written submission on confidentiality from OEB staff or intervenors on or before **March 7, 2016**.
6. Unless the OEB orders otherwise, any written submission by OEB staff and intervenors, including any submission on the absence of the baseline boiler study, shall be filed with the OEB and delivered to all other parties by **March 23, 2016**.
7. Enbridge may file a written reply submission with the OEB, and deliver it to intervenors by **April 6, 2016**.

All filings to the OEB must quote the file number, EB-2015-0267, and be made electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, in searchable / unrestricted PDF format. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet

access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Vince Mazzone at [Vince.Mazzone@ontarioenergyboard.ca](mailto:Vince.Mazzone@ontarioenergyboard.ca) and OEB Counsel, Michael Millar at [Michael.Millar@ontarioenergyboard.ca](mailto:Michael.Millar@ontarioenergyboard.ca).

### **ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
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**DATED** at Toronto, February 4, 2016

### **ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

Original Signed By

Kristi Sebalj  
Registrar

**APPENDIX A**

**APPLICANT AND LIST OF INTERVENORS**

**EB-2015-0267**

**ENBRIDGE GAS DISTRIBUTION INC.**

**DATED: February 4, 2016**

**Enbridge Gas Distribution Inc.  
EB-2015-0267  
2014 Demand Management (DSM)  
Clearance of Variance Accounts**

**APPLICANT & LIST OF INTERVENORS**

February 4, 2016

**APPLICANT**

**Rep. and Address for Service**

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**INTERVENORS**

**Rep. and Address for Service**

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Managers Association  
Toronto**

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2014 Demand Management (DSM)  
Clearance of Variance Accounts**

**APPLICANT & LIST OF INTERVENORS**

February 4, 2016

**Energy Probe Research  
Foundation**

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February 4, 2016

**Green Energy Coalition**

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**APPLICANT & LIST OF INTERVENORS**

February 4, 2016

**Ontario Sustainable Energy  
Association**

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