



Ontario Energy Board Commission de l'énergie de l'Ontario

REVIEW AND VARY ORDER

EB-2016-0270

ENBRIDGE GAS DISTRIBUTION INC.

Order varying the Board Order dated August 3, 2017 in an application by Enbridge Gas Distribution Inc. for an exemption from section 2.2.4 of the Affiliate Relationships Code for Gas Utilities.

By delegation before: Brian Hewson
Vice President, Consumer Protection
& Industry Performance

December 29, 2017

Introduction and Summary

On January 19, 2017, Enbridge Gas Distribution Inc. (EGD) filed an application to renew the Ontario Energy Board's (OEB) Order in EB-2010-0232, in which the OEB granted EGD an exemption from section 2.2.4 of the *Affiliate Relationships Code for Gas Utilities* (the Code) to allow EGD to provide certain operational services to Enbridge Inc. (Enbridge) wind farms.

Section 2.2.4 of the Code states “a utility shall not share with an affiliate that is an energy service provider any employee who controls the access to utility services, or directs the manner in which utility services are provided to customers, or who has direct contact with a customer of the utility service”.

On August 3rd, 2017, the OEB issued an Order granting Enbridge Gas Distribution Inc. (EGD) an exemption from section 2.2.4 of the Code. The Order stated:

Enbridge Gas Distribution Inc. is exempt from section 2.2.4 of the Affiliate Relationships Code for Gas Utilities with respect to the provision of Control Services (as that term is defined in the application) to wind farms operated by Enbridge Inc. within the Province of Ontario where those wind farms are operating under a contract with the Independent Electricity System operator, subject to the Wind Farm Conditions listed in this Decision and Order.

By a letter dated September 5, 2017, EGD requested that the OEB amend its Order “to clarify that EGD can provide Control Services to all of its affiliated windfarms, not limited to windfarms in Ontario”. In that letter, EGD confirmed that it is currently providing Control Services to wind farms in Colorado, Texas, West Virginia, Alberta and Saskatchewan, in addition to the Ontario wind farms to which it provides those services.

I have reviewed EGD's request and have determined that it is advisable to vary the August 3rd, 2017 Order by removing the reference to the Province of Ontario. In that way, the exemption would allow EGD to provide Control Services to its affiliated wind farms both within and outside of Ontario.

Findings

I made the determination on the application without a hearing in accordance with section 6 of the *Ontario Energy Board Act, 1998* (Act), and I am varying the August 3, 2017 Order pursuant to subsection 6(6) of the Act. The Wind Farm Conditions set out in the August 3, 2017 Order remain unchanged.

IT IS THEREFORE ORDERED THAT:

1. Paragraph 1 of the Order of the OEB in this proceeding dated August 3, 2017 is hereby varied by replacing the text of that paragraph with the following:
 1. Enbridge Gas Distribution Inc. is exempt from section 2.2.4 of the Affiliate Relationships Code for Gas Utilities with respect to the provision of Control Services (as that term is defined in the application) to wind farms operated by affiliates of Enbridge Gas Distribution Inc. subject to the Wind Farm Conditions listed in this Decision and Order.

DATED at **Toronto**, December 29, 2017

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance