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March 9, 2018

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

Energy Probe Research Foundation (“Energy Probe”) supports a proposal from the School Energy Coalition (“SEC”) to merge the two applications from Union and Enbridge to dispose their 2015 DSM deferral and variance accounts.

On March 8, 2018, counsel for Union Gas filed a letter stating that it “fundamentally disagrees” with the suggestion from SEC to combine the two applications. SEC made that recommendation on the basis that the utilities are now part of the same parent company and the two applications are “largely” the same.

While Energy Probe acknowledges there are some differences between the two applications, they are minor compared to the similarities. For example, in the most comprehensive parts of both applications, both the utilities devote almost their entire evidence to criticizing the Evaluation, Measurement & Verification (“EM&V”) process, Board Staff’s role in that process, the subsequent Evaluation Contractor (“EC”) study that it produced and its retroactive application to the utilities’ DSM variance accounts.<sup>1</sup> To Energy Probe, the concerns raised by the utilities regarding the EM&V process and the NTG study are, without question, the most important part of the two applications.

The utilities also both rely on the same expert study by Daniel Violette of Navigant in their argument against the retroactive application of the findings in the EC’s study.

For efficiency, it would be easier if the two applications were combined and both utilities appeared before the same adjudicative panel to answer what will likely be the same or similar questions regarding their concerns over that process and study. Any questions that are distinct to each utility – how they will dispose of the variance accounts, for example – can be addressed by representatives from the different utilities that appear before the Board. Energy Probe sees no reason to hold two distinct hearings when the main issues in the two applications are, as pointed out, largely the same.

Furthermore, given that both applications raise the same concerns regarding the EM&V process and Board Staff’s handling of it, the two adjudicative panels hearing the applications would likely

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<sup>1</sup> For Enbridge that is Exhibit A, tab 1, schedule 3 and for Union that is Exhibit A, tab 2.

collaborate on their decisions to avoid any regulatory contradictions. It makes sense, then to combine the application into one and avoid the potential for any contradictions that may arise in two separate decisions.

Sincerely,  
Brady Yauch

A handwritten signature in black ink, appearing to be 'Brady Yauch', with a stylized, cursive script.

Consultant for Energy Probe Research Foundation