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March 12, 2018

DELIVERED VIA E-MAIL

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

Re: Enbridge Gas Distribution Inc. ("Enbridge")
2015 DSM Deferral and Variance Account
Clearance Application
School Energy Coalition ("SEC") Letters
File Number: EB-2017-0323/4

We are writing as counsel for Enbridge in respect of the letters filed by Mr. Jay Shepherd on behalf of SEC dated March 7 and 9, 2018. This letter is further to the letter dated March 8, 2017 filed by Union Gas Limited ("Union Gas") which responded to SEC's earlier letter. Enbridge supports the submissions made by Union Gas.

Briefly stated, while Mr. Shepherd appears to be proposing that the Clearance Application filed by Union Gas (EB-2017-0323) be combined with Enbridge's application, from the March 9, 2018 letter, it appears that SEC believes that this combining of the two applications should come with restrictions on ability of each utility applicant to lead evidence, cross-examine and present argument. While Enbridge supports procedural efficiency, this objective is not an acceptable basis for removing a parties procedural rights. The fact that two applicants have taken a similar position on several issues does not justify denying one party the ability to fully participate and support its application. Such a position is wholly inconsistent with the evidentiary onus which is on the applicants.

It should be recalled that the Ontario Energy Board ("**Board**") approved an entirely separate and unique portfolio of DSM programs for each of the two utilities with separate budgets, targets and metrics. Each portfolio of DSM programs, which each utility operated independently of one another, has generated different results and each has undergone separate evaluation, measurement and verification. Any questions directed at specific DSM programs or program types must necessarily be responded to by the utility which undertook the program. While some of the questions to each of the utilities may be similar, the answers from the two utilities most certainly will not. To the same extent that the answers by the witnesses for one utility cannot be binding on the other utility, so too

any evidence-in-chief, cross-examination and argument by one utility may not provide the necessary evidentiary basis for the application filed by the other utility.

In Enbridge's view, there are no procedural efficiencies to be gained by combining witness panels at any technical conference or oral hearing as suggested by Mr. Shepherd (for which it is noted that it has not yet been established by the Board whether there will be a technical conference or an oral hearing). Indeed, such a proposal is more likely to increase the time commitment of the witnesses and counsel from each of the two utilities making the proceeding less efficient and more costly to ratepayers.

SEC postulates that Union Gas is looking to lead evidence and argue its case before a separate adjudicative panel from the Enbridge application. While the Board has not issued a procedural order setting out precisely how the two applications will proceed after the IR stage, Enbridge notes that the procedural order for each application contemplates the same steps and timelines which suggests that the Board is already contemplating a process which may see the applications heard one following the other. There does not therefore appear to be any merit to SEC's hypothetical concern.

The Board will be required to make separate rate orders approving for clearance different balances in the DSM deferral and variance accounts which are unique to each utility. This reality has not changed by reason of the fact that both utilities subsequently came to have the same shareholder.

Yours truly,

AIRD & BERLIS LLP

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