



## **Enbridge Gas Distribution Inc.**

### **Application for approval of the cost consequences of the proposed Renewable Natural Gas Enabling Program and Geothermal Energy Service Program**

#### **PROCEDURAL ORDER NO. 2**

**April 23, 2018**

Enbridge Gas Distribution Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) seeking approval for the cost consequences of its proposed Renewable Natural Gas (RNG) Enabling Program and Geothermal Energy Service Program. This includes approval of the methodology to set the service fees for each program and the annual sufficiency/deficiency of the programs within the Cap and Trade Compliance Obligation Variance Accounts.

#### **Issues List Decision**

The OEB issued Procedural Order No.1 on March 27, 2018, which provided parties an opportunity to comment on the draft issues list.

On April 3, 2018, Enbridge Gas and nine intervenors<sup>1</sup> made initial written submissions on the draft issues list. Enbridge Gas, Energy Probe, and VECC supported the draft issues list. The other parties submitted written comments with suggestions for revisions to the draft issues list.

On April 10, 2018, Enbridge Gas and OEB staff submitted responses to the submissions from intervenors.

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<sup>1</sup> The nine intervenors include Association of Power Producers of Ontario (APPRO), Anwaatin Inc. (Anwaatin), Canadian Biogas Association (CBA), School Energy Coalition (SEC), Industrial Gas Users Association (IGUA), E2 Energy Inc. (E2), Energy Probe Research Foundation (Energy Probe), Vulnerable Energy Consumers Coalition (VECC) and Federation of Rental-housing Providers of Ontario (FRPO).

Enbridge Gas submitted that most items raised by intervenors do not require additional issues as the draft issues list already permits parties to explore these questions in the proceeding. Enbridge Gas also stated that it would not object to the addition of CBA's proposed issue (Should Rate 401 be mandatory or voluntary?) and Anwaatin's proposed issue (GHG impacts of the proposed programs)

OEB staff supported two additions to the issues list proposed by SEC (issue 1.2 under 1 New Business Activities and issue 2.4 under 2 Cost Consequences) and one addition proposed by Anwaatin (issue 4 Aboriginal or Treaty Rights). OEB staff also stated that other issues proposed by intervenors are either subsumed under the draft issues list or pose questions that can be explored through the interrogatory process.

### *Findings*

The OEB agrees with OEB staff's recommendations and reasoning and finds that the proposed additions to the draft issues list are within the scope of this proceeding. The OEB will adopt the revised issues list proposed by OEB staff.

The Final Issues List for this proceeding is attached as Schedule A.

### **Ontario Geothermal Association (OGA)'s Intervention Request**

By letter dated April 12, 2018, OGA submitted a late intervention request for intervenor status and costs eligibility. OGA stated that members of the association are experts on geothermal energy in the province and members' knowledge and experience could contribute to this proceeding. OGA explained that granting intervenor status will not prejudice any parties or cause any delay because the proceeding is still at an early stage and the OGA has no comment on the issues list.

### *Findings*

The OEB agrees that OGA can provide insights into the geothermal energy sector and finds that the approval of its intervention request will have no adverse effect to the proceeding. Therefore, the OEB grants OGA intervenor status. The OEB has also determined that OGA is eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*.

An updated list of intervenors is attached as Schedule B.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

**THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. OEB staff shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **April 30, 2018**.
2. Intervenors shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **May 2, 2018**.
3. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **May 17, 2018**.

All filings to the OEB must quote the file number, EB-2017-0319, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice/>. 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.oeb.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 Registrar 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, Shuo Zhang at [Shuo.Zhang@oeb.ca](mailto:Shuo.Zhang@oeb.ca) and OEB Counsel, Lawren Murray at [Lawren.Murray@oeb.ca](mailto:Lawren.Murray@oeb.ca).

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**DATED** at Toronto, **April 23, 2018**

**ONTARIO ENERGY BOARD**

*Original signed by*

Kristen Walli  
Board Secretary

**Schedule A**

**To**

**Procedural Order No. 2**

**Enbridge Gas Distribution Inc.**

**EB-2017-0319**

**Final Issues List**

**April 23, 2018**

**Final Issues List**

**1. New Business Activities:**

- 1.1. Should the new business activity – RNG Enabling Program – be considered as part of the utility’s regulated business?
- 1.2. Should the new business activity – Geothermal Energy Service Program – be considered as part of the utility’s regulated business?
  - 1.2.1. Does the OEB have the authority to set a service fee for the Geothermal Energy Service Program, and if so, under, what section?

**2. Cost Consequences:**

- 2.1. Is the methodology to set services fees for the RNG Enabling Program – Upgrading Service reasonable and appropriate?
- 2.2. Is the methodology to set services fees for the RNG Enabling Program – Injection Service reasonable and appropriate?
- 2.3. Are the services fees for the Geothermal Energy Service Program reasonable and appropriate?
- 2.4. What are the appropriate terms and conditions of the Geothermal Energy Service Program, RNG Enabling Program – Upgrading Service, and RNG Enabling Program – Injection Service?

**3. Deferral and Variance Accounts:**

- 3.1. Is the proposal to include the annual sufficiency / deficiency of the RNG Enabling and Geothermal Energy Service Programs within the Cap and Trade Compliance Obligation Variance Accounts reasonable and appropriate?
- 3.2. Is the disposition methodology appropriate?

**4. Aboriginal or Treaty Rights:**

4.1. Are any Aboriginal or treaty rights impacted by this application? If so, what Aboriginal or treaty rights?

4.2. To the extent any Aboriginal or treaty rights are potentially impacted, has the duty to consult been adequately discharged with respect to these rights?

**Schedule B**

**To**

**Procedural Order No. 2**

**Enbridge Gas Distribution Inc.**

**EB-2017-0319**

**Applicant and List of Intervenors**

**April 23, 2018**



**Enbridge Gas Distribution Inc.**

**EB-2017-0319**

**APPLICANT & LIST OF INTERVENORS**

April 23, 2018

**APPLICANT**

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**APPLICANT & LIST OF INTERVENORS**

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**APPLICANT & LIST OF INTERVENORS**

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**Enbridge Gas Distribution Inc.**

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**APPLICANT & LIST OF INTERVENORS**

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**Enbridge Gas Distribution Inc.**

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**APPLICANT & LIST OF INTERVENORS**

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**Enbridge Gas Distribution Inc.**

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**Enbridge Gas Distribution Inc.**

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April 23, 2018

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**Enbridge Gas Distribution Inc.**

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