

Enbridge Gas Inc.

**Application for approval to continue the existing
financial terms associated with offering Open Bill
Access services for the years 2019 and 2020**

**DECISION AND PROCEDURAL ORDER NO. 8
November 11, 2019**

Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) on December 4, 2018 under section 36 of the *Ontario Energy Board Act, 1998*, for approval to continue the existing financial terms associated with offering Open Bill Access (OBA) services for 2019 and 2020.

In Decision and Procedural Order No. 4, the OEB accepted a partial settlement proposal which expanded the scope of the application to include whether the OBA services should continue and, among other things, allowed for a further settlement process. On October 23, 2019, Enbridge Gas filed a supplementary partial settlement proposal (Settlement Proposal) as part of the settlement process.

The parties to the Settlement Proposal are Enbridge Gas and the following approved intervenors in the proceeding: Building Owners and Managers Association Toronto, Canadian Manufacturers and Exporters, Enercare Inc., Energy Probe, Heating Ventilation and Air Conditioning Coalition, Reliance Comfort Limited Partnership, Summitt Home Services LP, Vista Credit Corp, and Vulnerable Energy Consumers Coalition, collectively called the Parties.

The Settlement Proposal identified items that were relevant to Enbridge Gas's request to continue the OBA services. The Parties settled all items but two, which were submitted to the OEB for its determination. The two unsettled items are the following:

- What control should OBA customers have over the addition, removal and reinstatement of third party charges on their Enbridge Gas bill through the OBA services?

- What restrictions, if any, should be placed on billing OBA customers for penalties, exit or termination fees, or similar charges through the Enbridge Gas bill?

In the Settlement Proposal, the Parties recommended that the OEB allow Enbridge Gas and other parties to file relevant evidence, to allow the filed evidence to be tested, and to hold an oral hearing for the OEB to decide on the unsettled items. The Parties also settled on the continuation of the financial terms for the OBA services. Enbridge Gas's original application proposed a two-year extension of the existing financial terms of the OBA services. The Parties proposed that the OBA services continue under the existing financial terms until the earlier of: the time when Enbridge Gas files an application to expand the OBA services into the Union Gas service area or the end of Enbridge Gas's deferred rebasing period.

On November 5, 2019, OEB staff filed a submission on the Settlement Proposal that supported the settled items and the suggested process on hearing the unsettled items.

Findings

The OEB accepts the Settlement Proposal. The OEB agrees that it is appropriate to continue OBA services under the existing financial terms to the earlier of the end of Enbridge Gas's deferred rebasing period or an OEB decision on an earlier application to expand the OBA services into the Union Gas service area. The OEB will hear the unsettled items at an oral hearing as proposed by the parties.

The OEB is establishing procedural steps with this Decision. The OEB may change these dates or the procedural steps as it finds necessary.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Enbridge Gas Inc. shall file supplementary written evidence describing its current practices relevant to each unsettled item with the OEB and serve it on all parties by **November 21, 2019**.
2. OEB staff and intervenors shall request, by written interrogatories, any relevant information and documentation related to the supplementary written evidence from Enbridge Gas Inc. and file the interrogatories with the OEB and serve it on all parties by **December 3, 2019**.

3. Enbridge Gas Inc. shall file with the OEB complete written responses to all interrogatories and serve it on all intervenors and OEB staff by **December 17, 2019**.
4. OEB staff and intervenors may file with the OEB evidence that they intend to rely upon for the determination of the unsettled items and serve it on all parties by **January 6, 2020**.
5. Interrogatories from OEB staff, intervenors and Enbridge Gas Inc. on the evidence set out in paragraph 4 shall be filed by **January 13, 2020** and the party that filed the evidence shall file written responses to the interrogatories by **January 24, 2020**.
6. An oral hearing will be held on **January 30, 2020** starting at 9:30 A.M. at 2300 Yonge Street, 25th floor, Toronto and may continue on **January 31, 2020** if necessary.

All materials filed with the OEB must quote the file number, EB-2018-0319, be made in a searchable/unrestricted PDF format and sent 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 email address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have computer access are required to file seven 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, Donald Lau at donald.lau@oeb.ca and OEB Counsel, Michael Millar at michael.millar@oeb.ca.

ADDRESS

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DATED at Toronto, **November 11, 2019**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary