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January 27, 2020

Christine E. Long  
Registrar and Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto ON  
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Dear Ms. Long,

**RE: EB-2018-0319 Enbridge Open Bill  
Energy Probe Submission on Unsettled Items**

In Procedural Order No. 10, dated January 16, 2020, the OEB asked parties in the EB-2018-0319 Enbridge Open Bill proceeding, to file initial positions on the two unsettled items.

1. 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?
2. 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?

The following is the submission of Energy Probe Research Foundation (Energy Probe) on the two items.

**Submission on Item 1**

Initial position of Energy Probe is that OBA customers should have complete control over the addition, removal and reinstatement of third party charges on their Enbridge Gas bill through the OBA services. No charge of any kind from third parties should be on the Enbridge Gas bill without specific prior written authorization by means of a signed contract between the customer and the third party.

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**Submission on Item 2**

Initial position of Energy Probe is that there should be absolute prohibition on billing OBA customers for penalties, exit or termination fees, or similar charges through the Enbridge Gas bill. As the OEB explained in its Procedural Order No. 10, effective March 1, 2020 amendments to the Gas Distribution Access Rule (GDAR) resulting from the OEB's review of customer service practices for gas distributors will take effect. GDAR Section 9.3.6 prescribes the allocation of payments and section 9.3.7 prohibits disconnects for any charges other than gas charges, security deposits and billing adjustments. Energy Probe believes that many OBA customers are not aware of this change and will likely remain unaware of it for some time, particularly immigrants with limited command of English language. They will continue to believe that Enbridge will disconnect their gas service if they do not pay penalties, exit or termination fees or similar charges from third parties on the Enbridge bill, and will feel compelled to pay them even if they believe that such charges are exorbitant or unfair.

Respectfully submitted on behalf of Energy Probe by its consultant

*Original signed by*

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Tom Ladanyi  
TL Energy Regulatory Consultants Inc.