

BY E-MAIL

January 28, 2020

Christine E. Long
Registrar and Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ms. Long:

**Re: Enbridge Gas Inc. (Enbridge Gas)
2019 Open Bill Access Application
Ontario Energy Board (OEB) File No. EB-2018-0319**

In accordance with Procedural Order No. 10, please find attached OEB staff's initial position on the two unsettled items. Enbridge Gas and all intervenors have been copied on this filing.

Yours truly,

Original Signed By

Donald Lau
Project Advisor – Electricity Distribution: Major Rate Applications & Consolidations

Encl.

In Procedural Order No. 10 and Decision on Confidentiality, the OEB ordered parties that plan to cross-examine witnesses at the oral hearing to file their initial positions on the two unsettled items.

The two unsettled items are as follows:

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?

OEB staff believes that customers, who receive charges from a third party through the OBA service, should have full control over whether or not third party charges appear on or are paid through their Enbridge Gas bill.

OEB staff proposes that when a customer requests that a third party charge be removed from the Enbridge Gas bill, Enbridge Gas should notify the third party that the charges will be removed in ten business days unless the third party responds that no delay in removal of the charges is necessary. If, during the ten-day waiting period, Enbridge Gas is notified, by way of written authorization, by the customer or the third party (providing the specific written authorization from the customer to terminate the third party charge removal) that processing the removal should be terminated, Enbridge Gas should cease the processing of the removal of the third party charge.

A third party charge can be added or reinstated on the Enbridge Gas bill, by way of written authorization, by the customer or the third party (providing the specific written authorization from the customer to add or reinstate a third party charge).

This principal of processing a customer's request to remove third party charges from the Enbridge Gas bill is similar to the Retail Settlement Code, Section 10.5.5. As the removal of the charge from the bill does not cancel the agreement between the customer and the third party, the third party may consider other alternatives for payment of any contractual obligations on behalf of the customer.

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?

OEB staff's position is that customers who receive charges from a third party through the OBA service, should have full control over whether or not third party charges appear on or are paid through their Enbridge Gas bill.

Provided a customer agrees to accept third party contracted charges related to penalties, exit / termination fees or similar charges through their Enbridge Gas bill, OEB

staff believes that there should be no restrictions to the placement of these charges on the bill.