

Scott Pollock
T 613.787.3541
spollock@blg.com

Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen St, Suite 1300
Ottawa, ON, Canada K1P 1J9
T 613.237.5160
F 613.230.8842
F 613.787.3558 (IP)
blg.com



Our File No. 339583-260

February 21, 2020

By Electronic Filing

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

Dear Ms. Long

Re: Enbridge Gas Inc. (“EGI”)
Application for approval to continue the existing financial terms associated with
offering Open Bill Access services for the years 2019 and 2020
Board File No. EB-2018-0319

We are counsel to Canadian Manufacturers & Exporters (“CME”). CME has reviewed the evidence in this proceeding including the transcripts of the hearings held on January 30-31, 2020. Please consider this letter to be CME’s submission pursuant to Procedural Order #11 in the above-noted proceedings.

A. The Unsettled Issues

Pursuant to Procedural Order #8 in this proceeding, the Board approved a partial settlement proposal which settled all but two issues in this proceeding (the “Unsettled Issues”). The Unsettled Issues were 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?
- 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?

B. Customers should be able to Control the Removal and Reinstatement of Charges on their Bill

In CME’s submission, the OBA program exists, and should continue to exist, for the benefit of customers and ratepayers. The OBA program benefits ratepayers with a modest net benefit of

\$5.389 million, and OBA program customers also gain the convenience of having multiple goods and services charged through a single bill.

However, as demonstrated by the evidence, the current OBA program has a number of unintended and detrimental consequences. For instance, in the Evidence of Vista Credit Corp. only about half of customers were aware that EGI was not affiliated with other energy services providers that bill through the Enbridge bill.¹ This lack of clarity regarding the relationships between parties on the Enbridge bill can cause inconvenience, misunderstandings, and even abuses.

Some of the detrimental effects of the OBA program will be ameliorated by the steps that EGI agreed to complete as part of the settlement agreement. For instance, the one page customer information document published by EGI for EGD rate zone customers will help to eliminate some of the confusion customers have regarding EGI's relationship to other energy service providers.²

However, in addition to customer information, the mechanisms and underlying structure of the OBA program should also be changed to empower customers. This will ensure that the purpose of the OBA program and its practical impact remain aligned. Customers should be able to determine for themselves how to maximize the benefits and convenience of the open bill program, while minimizing the detrimental effects in a way that is best suited for them.

Accordingly, CME submits that the Board should adopt a process that maximizes the customer's control over the addition, removal and reinstatement of third party charges with minimal interference from other parties.

C. Restrictions on Penalties, Exit Fees and Termination Fees

CME takes no position on this issue.

Yours very truly



Scott Pollock

- c. K. Culbert (EGI)
- L. Chiasson (EGI)
- D. Stevens (Aird & Berlis)
- Intervenors in EB-2018-0319
- Alex Greco (CME)

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¹ EB-2018-0319, Evidence of Vista Credit Corp., January 10, 2020 at para 9.

² EB-2018-0319, Exhibit N1, Tab 2, Schedule 1, p. 5 of 11.