

March 4, 2020

VIA EMAIL, RESS, and COURIER

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

Dear Ms. Long:

**Re: Enbridge Gas Inc. (“Enbridge Gas”)
2018 Deferral and Variance Account Clearances Application (“Application”)
Ontario Energy Board (“Board”) File Number EB-2019-0105
Response to FRPO re Cost Claim**

We write in response to FRPO’s March 3, 2020 letter related to its cost claim.

In our February 27, 2020 letter, we indicated that Enbridge Gas does not object to the submitted cost claims in the EB-2019-0105 proceeding. However, we also pointed out that there were a few outliers in the cost claims compared to the average.

FRPO, which is one of the outliers that we highlighted, takes exception to our comment. FRPO then proceeds to accuse Enbridge Gas of withholding evidence, and also suggests that in future cases some of Enbridge Gas’s costs should be deducted from future costs requested for recovery.

Since FRPO has decided to engage on these matters, Enbridge Gas is compelled to respond.

There was no withholding of evidence. FRPO asked more interrogatories than any other party. According to its cost claim, FRPO took 25 hours to prepare these questions, while the average hours claimed for interrogatory preparation by other intervenors was approximately 7 hours. Enbridge Gas responded to all but one of the FRPO interrogatories. FRPO then asked follow-up questions on November 5, 2019 and Enbridge filed several updated interrogatory responses on November 13, 2019. The additional information attached to the Settlement Proposal is simply an updated response to another of the FRPO interrogatories.

The fact that an applicant highlights potential concerns with an intervenor’s cost claim is entirely disconnected to the applicant’s own costs (which are typically not separately recoverable). More broadly, the implication that an intervenor should not be challenged

on its cost claims is troubling. If one intervenor spends more time than all others on a matter, then it is appropriate for the applicant to highlight that fact. There may be reasons supporting the intervenor's additional time, but surely it is fair to point out the discrepancy.

Please contact the undersigned if you have any questions.

Yours truly,

(Original Signed)

Rakesh Torul
Technical Manager,
Regulatory Applications

cc: Mr. D. Stevens, Aird & Berlis LLP (via email)
All Interested Parties EB-2019-0105 (via email)