

**Enbridge Gas Inc.**

**Application for natural gas distribution rates and other  
charges effective January 1, 2021**

**PROCEDURAL ORDER NO. 1  
August 18, 2020**

On January 1, 2019, Enbridge Gas Distribution Inc. (EGD) and Union Gas Limited (Union Gas) amalgamated to form Enbridge Gas Inc. (Enbridge Gas). Enbridge Gas filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on June 30, 2020 under section 36 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) seeking approval for changes to its natural gas distribution rates to be effective January 1, 2021.

In its cover-letter, Enbridge Gas requested that the OEB adjudicate this application in a bifurcated manner, with 2 Phases, similar to the 2020 rate proceeding. As such, Enbridge Gas has filed supporting evidence only in relation to the IRM Application, referred to as Phase 1, which includes the annual rate escalation, pass through-costs, capital pass-through adjustments and Parkway Delivery Obligation rate adjustments. Enbridge Gas has requested that the OEB determine the IRM Application by November 27, 2020 so that the rates can be implemented on an interim basis in conjunction with the January 1, 2021 QRAM application.

Enbridge Gas has advised that it will file the evidence in relation to the request for incremental capital module (ICM) funding, which includes a consolidated Utility System Plan, an Asset Management Plan and a Customer Engagement Study, referred to as Phase 2, with the OEB in October 2020.

The OEB issued a letter on July 14, 2020 advising Enbridge Gas that it will process the Phase 1 and Phase 2 filings as separate applications. The OEB noted that it will commence its review of the Phase 1 (IRM) application at this time and will commence the processing of the Phase 2 (ICM) application when the evidence in respect of that application is filed.

A Notice of Hearing for Phase 1 was issued on July 15, 2020. The last date for filing interventions was August 5, 2020.

Each of the following applied for intervenor status:

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association (BOMA)
- Canadian Manufacturers & Exporters (CME)
- City of Kitchener (Kitchener)
- City of Toronto (Toronto)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- EPCOR Natural Gas Limited Partnership (EPCOR)
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Association of Physical Plant Administrators (OAPPA)
- Ontario Greenhouse Vegetable Growers (OGVG)
- Pollution Probe
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Six Nations Natural Gas Company Limited (SNNG)
- TransCanada PipeLines Limited (TCPL)
- Vulnerable Energy Consumers Coalition (VECC)

APPrO, BOMA, CME, CCC, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, OAPPA, OGVG, Pollution Probe, QMA, SEC and VECC also applied for cost eligibility.

No objection was received from Enbridge Gas.

Each of the parties that applied for intervention are approved as intervenors for this proceeding. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. APPrO, BOMA, CME, CCC, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, OAPPA, OGVG, Pollution Probe, QMA, SEC and VECC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*.

This is an IRM proceeding that will consider pass through costs. The request for ICM funding, which includes a consolidated Utility System Plan, an Asset Management Plan and a Customer Engagement Study, will be heard in a separate application.

Twenty intervenors have applied for intervenor status in this proceeding, which will predominantly consider pass through costs and an IRM adjustment. The expectation is that parties will tailor their participation to match the complexity of issues the OEB will consider in this proceeding. In addition, intervenors are expected to coordinate their participation with each other to every extent possible. Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing. The OEB may take into account the mechanistic nature of the application when assessing cost awards.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

**IT IS THEREFORE ORDERED THAT:**

1. OEB staff and intervenors shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **September 2, 2020**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **September 17, 2020**.
3. A settlement conference among the parties and OEB staff will be convened on **September 23, 2020** starting at 9:30 a.m. If necessary, the settlement conference will continue on **September 24, 2020**. (Instructions on whether the settlement conference will be an in-person event or a virtual event will be communicated later.)
4. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **October 6, 2020**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues,

indicating with reasons whether the parties believe those issues should be dealt with by way of an oral or written hearing.

5. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **October 15, 2020**.
6. If there is no settlement proposal arising from the settlement conference, Enbridge Gas shall file a letter to that effect with the OEB by **October 6, 2020**. In that event, parties shall file and serve on the other parties by **October 15, 2020**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
7. The OEB is setting a tentative date of **October 22, 2020**, from 9:30 a.m. to 12:30 p.m. for Enbridge Gas to present to the OEB any settlement proposal and a summary of any unsettled issues in the case. OEB staff will, at the direction of the OEB, confirm or amend this date in subsequent correspondence.

All materials filed with the OEB must quote the file number, **EB-2020-0095**, be made in searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail 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 [boardsec@oeb.ca](mailto:boardsec@oeb.ca).

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, Khalil Viraney at [Khalil.Viraney@oeb.ca](mailto:Khalil.Viraney@oeb.ca) and OEB Counsel, Ian Richler at [Ian.Richler@oeb.ca](mailto:Ian.Richler@oeb.ca).

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**DATED** at Toronto, **August 18, 2020**

**ONTARIO ENERGY BOARD**

**By delegation, before: Christine E. Long**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary

**SCHEDULE 'A'**

**LIST OF APPLICANT AND INTERVENORS**

**ENBRIDGE GAS INC.  
2021 RATES**

**PROCEDURAL ORDER NO. 1**

**DATED: August 18, 2020**

**Enbridge Gas Inc.  
2021 Rates Phase 1  
EB-2020-0095**

**APPLICANT & LIST OF INTERVENORS**

**August 18, 2020**

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**APPLICANT**

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**Enbridge Gas Inc.  
2021 Rates Phase 1  
EB-2020-0095**

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**August 18, 2020**

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**INTERVENORS**

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**Enbridge Gas Inc.  
2021 Rates Phase 1  
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**August 18, 2020**

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**INTERVENORS**

**Rep. and Address for Service**

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**August 18, 2020**

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**INTERVENORS**

**Rep. and Address for Service**

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**INTERVENORS**

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**INTERVENORS**

**Rep. and Address for Service**

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**INTERVENORS**

**Rep. and Address for Service**

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**INTERVENORS**

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**INTERVENORS**

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**INTERVENORS**

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**INTERVENORS**

**Rep. and Address for Service**

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