



BY EMAIL and RESS

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October 26, 2020
Our File No. EB-2019-0159

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Christine Long, Registrar and Board Secretary

Dear Ms. Long;

Re: EB-2019-0159 – Enbridge Kirkwall to Hamilton - Conditions

We are counsel for the School Energy Coalition. We have reviewed the submission of the Green Energy Coalition with respect to proposed conditions of withdrawal of this Application, and write to urge the Board to implement the GEC proposal.

SEC notes that the Board does not normally impose conditions upon a utility when it withdraws an application. The Board's longstanding position has generally been that utilities control whether they want to proceed with a change that requires the Board's approval. The unusual exception to that has been proceedings on the Board's own motion, which will sometimes follow a utility step that the Board feels needs further review.

In this case, however, there is a strong likelihood that, at some point in the future, the Applicant Enbridge Gas will file an application that encompasses the same, similar, or replacement capital projects. If that were the case, the Board (and the customers) should not be put in the position where it is back at square one, and the utility is once again saying it is too late to use IRP principles to avoid significant capital spending. The

evidence before the Board, and the Board's decision, in that future case will be made better by conditions placed by the Board today.

SEC submits that advising the Applicant that any future application covering similar relief should include evidence that Enbridge has undertaken extensive IRP work, starting now, to defer, reduce, or avoid capital spending, is a "condition" that is fair to the utility, and protects the Board's processes going forward.

Further, this proceeding is only part of the original Application by the utility. The other part is now EB-2020-0091, the IRP proceeding. In our view, that proceeding would benefit from the information contained in the first condition proposed by GEC, a report on the changes that resulted in the withdrawal of this capital project.

SEC therefore submits that it is appropriate, and in the public interest, for the Board to impose the conditions proposed by GEC.

All of which is respectfully submitted.

Yours very truly,
**SHEPHERD RUBENSTEIN
PROFESSIONAL CORPORATION**



Jay Shepherd

cc: Wayne McNally, SEC (email)
Interested Parties