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BY EMAIL

October 26, 2020

David I. Poch
Counsel
Green Energy Coalition
1649 Old Brooke Road R.R. #2
dpoch@eelaw.ca

Dear Mr. Poch:

Re: Green Energy Coalition and Environmental Defence's Request to Submit Interrogatories before Filing Expert Evidence

**Application for Enbridge Gas Inc. Integrated Resource Planning Proposal
Ontario Energy Board File Number: EB-2020-0091**

The Ontario Energy Board (OEB) has received your letters of October 20, 2020 and October 23, 2020, on behalf of the Green Energy Coalition (GEC) and Environmental Defence (ED), filed in Enbridge Gas's Integrated Resource Planning (IRP) proceeding (EB-2020-0091). GEC/ED has requested an opportunity to submit interrogatories to Enbridge Gas Inc. (Enbridge Gas) and receive interrogatory responses from Enbridge Gas before GEC/ED files its evidence. A description of GEC/ED's request, and the OEB's response, is provided below.

Through successive Procedural Orders, the OEB has made provision for various procedural steps in this proceeding, including the filing of evidence by Enbridge Gas, OEB staff and jointly commissioned evidence by GEC/ED. Procedural Order No. 4, issued on August 20, 2020, set a deadline of October 15, 2020 for Enbridge Gas to file evidence, and of November 19, 2020 for GEC/ED to file evidence.

On October 20, 2020, GEC/ED filed a request to submit interrogatories to Enbridge Gas and receive interrogatory responses before GEC/ED files its evidence, submitting that a preliminary interrogatory step is needed to access additional information, including the results of IRP in-field case studies conducted by Enbridge Gas. GEC/ED submitted that this step was needed to promote fairness in light of the asymmetry of data and

information between Enbridge Gas and GEC/ED. GEC/ED's request stated that its expert is reviewing Enbridge Gas's evidence filed on October 15, 2020 and that it would be prepared to file interrogatories by October 23, 2020, and proposed that Enbridge Gas file responses to these interrogatories by November 6, 2020.

On October 21, 2020, Enbridge Gas filed a letter opposing GEC/ED's request, submitting that the request appears to contradict the description of evidence filed by GEC/ED, which was to complement the evidence of OEB Staff by drawing from IRP lessons learned in the electricity sector and in the gas sector in jurisdictions other than New York. Enbridge Gas submitted that GEC/ED did not write about concerns about asymmetry of information in its August 5, 2020 letter outlining the nature of its proposed evidence. Enbridge Gas further submitted that "the IRP case study referenced by GEC/ED is likely of limited value to the Board in establishing an IRP policy framework for Enbridge Gas as such geographically specific information is more relevant to the development of specific IRP alternatives ("IRPAs") to resolve an identified system capacity constraint/need".

Enbridge Gas noted that in Procedural Order No. 4 the OEB indicated that it would not provide an opportunity for discovery before filing evidence, and that GEC/ED's request would change the process from what the OEB previously outlined. Enbridge Gas submitted that GEC/ED is requesting exceptional and preferential discovery. Enbridge Gas indicated that, if the OEB grants GEC/ED the opportunity to ask interrogatories in advance of its evidence, then Enbridge Gas would request the opportunity to ask interrogatories on OEB staff and GEC/ED evidence before filing its responding evidence.

On October 23, 2020, GEC/ED filed a second letter, that provided further description as to how the information being requested from Enbridge Gas would be of value in preparing GEC/ED's expert evidence. GEC/ED proposed limiting its request for information at this time to two questions:

1. Describe the Enbridge in-field pilot programs designed and launched by Enbridge in 2017, including their goals or objectives, what IRP questions or uncertainties they were designed to help address, how they were designed and deployed, and what data were collected;
2. Provide a copy of any results of the IRP in-field case studies.

GEC/ED requested that the OEB direct Enbridge Gas to file responses to these interrogatories.

The OEB has determined that it will not amend the procedural schedule to schedule interrogatories by GEC/ED, and interrogatory responses from Enbridge Gas, in advance of filing intervenor evidence.

The OEB accepted the proposal by GEC/ED to file evidence on the basis that it does not duplicate the evidence from OEB staff, and that it will draw from IRP lessons learned in the electricity sector and in the natural gas sector in jurisdictions other than New York. The evidence is also expected to look at best practices for IRP processes, screening criteria and non-pipes solutions. The OEB concludes that further information from Enbridge Gas is not required to provide expert evidence on IRP in other jurisdictions or on best practices for IRP to be considered in determining an IRP framework.

All parties, including GEC/ED, will still have the opportunity for interrogatories on Enbridge Gas's evidence, to help formulate their submission on the appropriate framework the OEB should adopt for IRP.

The timelines set out in Procedural Orders No. 4 and No. 5 remain unchanged.

Nevertheless, the OEB concludes that the response to GEC/ED's questions on in-field pilots will be of interest to the OEB in establishing the IRP framework. It may assist the process for Enbridge Gas to file a response to these questions early, rather than waiting until interrogatories on Enbridge Gas's evidence are scheduled.

Yours truly,

Original Signed By

Christine E. Long
Registrar

c: All Parties to EB-2020-0091