

**Enbridge Gas Inc.**

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

**PROCEDURAL ORDER NO. 1  
November 27, 2020**

Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) on October 15, 2020 under section 36 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, seeking approval for unit rates related to its 2021 Incremental Capital Module (ICM) funding request.

In a separate application (EB-2020-0095), Enbridge Gas applied for rate changes related to its incentive rate-setting mechanism (IRM) and other pass through cost adjustments effective January 1, 2021 (Phase 1). In a Decision and Interim Rate Order issued on November 6, 2020, the OEB accepted the settlement proposal between the intervenors and the applicant that reached a settlement on all issues in Phase 1 of the proceeding. This is the second phase of the application that deals with the remaining rate adjustments, namely those related to ICM funding request. Enbridge Gas has requested rate recovery for three capital projects in this proceeding.

A Notice of Hearing for Phase 2 was issued on October 30, 2020. The last date for filing interventions was November 20, 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 Toronto (Toronto)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)

- London Property Management Association (LPMA)
- Ontario Greenhouse Vegetable Growers (OGVG)
- Pollution Probe
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Six Nations Natural Gas Company Limited (SNNG)
- Vulnerable Energy Consumers Coalition (VECC)

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

In its letter of intervention Toronto states that its interest in this proceeding relates to “impacts on and relevance to natural gas distribution rates and proposed Enbridge works affecting Toronto.” Enbridge Gas objected to Toronto’s intervention request on the grounds that Toronto does not have a substantial interest in this proceeding because the ICM projects are located in Ottawa, London and Sarnia and not in or around the city of Toronto. Further, Enbridge Gas noted that apart from being an Enbridge Gas customer, Toronto was not specifically impacted by the application. Enbridge Gas also noted that although Toronto was approved as an intervenor in the Phase 1 proceeding, it did not participate in the settlement conference and did not file interrogatories or submissions.

This application deals with requests for ICM funding and review of a consolidated Utility System Plan, an Asset Management Plan and a Customer Engagement Study. The OEB notes that Toronto did not file a reply to Enbridge Gas’s objection and Toronto’s intervention request does not outline a specific interest. The OEB is not satisfied that Toronto has a substantial interest in the proceeding within the meaning of Rule 22.02 of the OEB’s *Rules of Practice and Procedure*. If Toronto wishes to follow the proceeding and receive all OEB issued documents, it may wish to register on the OEB’s website to monitor the proceeding.

APPrO, BOMA, CME, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, OGVG, Pollution Probe, QMA, SEC, SNNG and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. APPrO, BOMA, CME, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, 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*.

The OEB's 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 an OEB order at the end of a hearing.

The OEB intends to proceed by way of a written hearing. 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 **December 21, 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 **January 21, 2021**.
3. Enbridge Gas shall file its Argument-in-Chief with the OEB and serve it on all other parties by **February 1, 2021**.
4. OEB staff and intervenors shall file any written submissions with the OEB and serve them on all other parties by **February 18, 2021**.
5. Enbridge Gas shall file any reply submissions with the OEB and serve them on all other parties by **March 4, 2021**.

Enbridge Gas is responsible for ensuring that the documents it files with the OEB do not include personal information (as that phrase is defined in the Freedom of Information and Protection of Privacy Act), unless filed in accordance with rule 9A of the OEB's Rules of Practice and Procedure.

All materials filed with the OEB must quote the file number, **EB-2020-0181**, and be submitted in a 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 [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at [www.oeb.ca/industry](http://www.oeb.ca/industry). We encourage the use of RESS; however, parties who have not yet [set up an account](#), may email their documents to [registrar@oeb.ca](mailto:registrar@oeb.ca).

All communications should be directed to the attention of the Registrar 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, **November 27, 2020**

**ONTARIO ENERGY BOARD**

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

*Original Signed By*

Christine E. Long  
Registrar

**SCHEDULE A**  
**PROCEDURAL ORDER NO. 1**  
**ENBRIDGE GAS INC.**  
**EB-2020-0181**  
**APPLICANT AND LIST OF INTERVENORS**  
**NOVEMBER 27, 2020**

**Enbridge Gas Inc.-  
Application for Incremental Capital Module Funding – 2021 Rates  
EB-2020-0181**

**APPLICANT & LIST OF INTERVENORS**

November 27, 2020

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**APPLICANT**

**Enbridge Gas Inc.**

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