

February 18, 2021

**To: All Rate-Regulated Natural Gas Distributors
All Participants in EB-2019-0003**

**Re: Notice of Hearing for Cost Awards
Post-2020 Natural Gas Demand Side Management Framework – Phase 2
OEB File No.: EB-2019-0003**

Background

The OEB initiated the post-2020 Demand Side Management (DSM) Framework policy consultation on May 21, 2019. The OEB indicated the consultation will be completed in stages.

On June 11, 2019 the OEB issued its Decision on Cost Eligibility (Decision) granting cost eligibility to 18 parties. In the Decision, the OEB indicated its expectation that participants with similar viewpoints would coordinate their activities in order to increase efficiency and minimize costs.

In Phase 1 of the consultation, the OEB sought input and comments from interested stakeholders on the underlying guiding principles, on the goals and objectives to be achieved, and on the scope of the review. The OEB approved costs related to Phase 1 on November 25, 2019.

On December 19, 2019 the OEB issued a letter commencing Phase 2 of the consultation. As part of Phase 2, the OEB sought stakeholder feedback on two items: the draft consultation plan and general framework ideas. The OEB held a half-day stakeholder meeting on January 29, 2020 where it received input on the Phase 2 items. No provisions for written comments were provided.

On December 1, 2020 the OEB issued a letter concluding the policy consultation, and directing Enbridge Gas Inc. to file an application for a new DSM plan by May 1, 2021.

Notice of Hearing

The OEB is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the *Ontario Energy Board Act, 1998* in relation to Phase 2 of the consultation. The maximum number of hours and eligible activities for Phase 2 of the consultation can be found in Appendix A of this Notice.

The OEB intends to proceed by way of written hearing unless a party can satisfy the OEB that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the OEB no later than **seven (7) days** after the date of this Notice.

Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Eligible persons shall submit their cost claims by **March 4, 2021**. The cost claim must be filed with the OEB and one copy is to be served on each rate-regulated natural gas distributor. The cost claims must be completed in accordance with section 10 of the OEB's *Practice Direction on Cost Awards*.

Eligible persons must use the customized Cost Claim Form attached as Appendix B to this Notice.

2. Natural gas distributors will have until **March 11, 2021** to object to any aspect of the costs claimed. The objection must be filed with the OEB and one copy must be served on the eligible person against whose claim the objection is being made.
3. An eligible person whose cost claim was objected to will have until **March 18, 2021** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the OEB and one copy is to be served on the objecting natural gas distributor.
4. The OEB will then issue its decision on cost awards. The OEB's costs may also be addressed in the cost awards decision.

Service of cost claims, objections and reply submissions on other parties may be effected by courier, registered mail, facsimile or e-mail.

The OEB will use the process set out in section 12 of its *Practice Direction on Cost Awards* to implement the payment of the cost awards. Therefore, the OEB will act as a clearing house for all payments of cost awards in this process. For more information on this process parties may refer to the OEB's [Practice Direction on Cost Awards](#) and the [October 27, 2005 letter](#) regarding the rationale for the OEB acting as a clearing house for the cost award payments. These documents can be found on the OEB's [Rules, Codes, Guidelines and Forms](#) webpage.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, 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-2019-0003**, and be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://p-pes.ontarioenergyboard.ca/PivotalUX/>. 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. Parties are encouraged to use RESS; however, parties who have not yet [set up an account](#), may email their documents to 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.

If you do not file a letter objecting to a written hearing or do not participate in the hearing by filing written materials in accordance with this Notice, the OEB may proceed without your participation and you will not be entitled to further notice in this proceeding.

Yours truly,

Original Signed By

Christine E. Long
Registrar

Attachment



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Appendix A

Notice of Hearing for Cost Awards

Post-2020 Natural Gas Demand Side Management Framework

EB-2019-0003 – Phase 2

Consultation Activities for Which Cost Claims may be Filed and Maximum Number of Hours

ACTIVITY	TOTAL ELIGIBLE HOURS PER PARTICIPANT
Preparation for the Phase 2 Stakeholder Meeting	Up to 2 hours
Attendance at the Phase 2 Stakeholder Meeting, January 29, 2020	Actual attendance time (Up to 3 hours)



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Appendix B

Notice of Hearing for Cost Awards

Post-2020 Natural Gas Demand Side Management Framework

EB-2019-0003 – Phase 2

Appendix B: Ontario Energy Board Cost Claim for Consultations: Affidavit and Summary of Fees and Disbursements

The form that eligible persons must complete are provided in a separate MS Excel Workbook named, "EB-2019-0003_NOH_Phase 2 - Appendix B_ Cost Claim Form".