



March 30, 2021

VIA RESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Registrar

Dear Ms. Long,

**Re: Enbridge Gas Inc. (EGI)
Consultation to Review Annual Update to Five-Year Natural Gas Supply Plan
Board File No.: EB-2021-0004**

We are counsel to Anwaatin Inc. (**Anwaatin**). Further to Procedural Order No. 1, please find enclosed Anwaatin's Written Questions in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink that reads "Jonathan McGillivray". The signature is written in a cursive, flowing style.

Jonathan McGillivray

c. David Stevens, Counsel, Aird & Berlis LLP
Larry Sault, Anwaatin Inc.
Don Richardson, Consultant

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, Sched. B, as amended (the
Act);

AND IN THE MATTER OF the consultation to review
the annual update to the five-year natural gas supply
plans of Enbridge Gas Inc. (**EGI**)

EB-2021-0004

WRITTEN QUESTIONS FROM

ANWAATIN INC.

March 30, 2021

Question: **Anwaatin.1**

Reference: • EGI Annual Gas Supply Plan (**Plan**), p 18.

Preamble: The majority of First Nations in Ontario do not have access to natural gas, and many First Nations are interested in accessing natural gas for energy cost savings and low-emission heating. The *Access to Natural Gas Act, 2018*, SO 2018, c 15 (**ACGA**) provides a framework for regulations to deliver rate protection for consumers or prescribed classes of consumers with respect to costs incurred by natural gas distributors in making a qualifying investment for the purpose of providing access to a natural gas distribution system to those consumers by reducing the rates that would otherwise apply in accordance with the prescribed rules.

EGI notes that through the Province of Ontario's Natural Gas Expansion Support Program and Natural Gas Grant Program, EGI has several community expansion projects underway, including bringing natural gas to the Chippewas of the Thames First Nation, Saugeen First Nation, and Scugog Island.

- a) Please describe in greater detail the impacts EGI expects the ACGA will have and its adherence to the principles of cost effectiveness, reliability, and achieving public policy objectives.

- b) Please indicate how the Plan will ensure that it supports and is aligned with the public policy objectives of the ACGA and, in particular, the expansion of natural gas access to First Nation reserve communities and off-reserve First Nation members?

- c) Please indicate what impacts, if any, the Plan will have on the cost of natural gas to First Nation reserve communities and off-reserve First Nation members?

- d) What impacts, if any, will the Plan have on the expansion of natural gas distribution services to First Nation reserve communities and off-reserve First Nation members? Please provide specific expansion strategy and geographic plans.
- e) Does EGI have plans to introduce low-income rate assistance for First Nation reserve communities and off-reserve First Nation members into the Plan and business activities broadly? If so, please provide details. If not, please explain why not.
- f) Please indicate whether EGI plans to expand natural gas supply to any other First Nations. If so, please provide details. If not, please explain why not.

Question: **Anwaatin.2**

Reference: • Plan, p. 17
 • Plan, p. 18

Preamble: In reference to Renewable Natural Gas (**RNG**) “EGI recognizes the importance of emissions reduction in Ontario, as well as the important role that EGI plays in supporting the achievement of GHG emission reduction target”. In 2020, EGI proposed a Voluntary RNG program¹ offering “system gas general service customers the option to pay a fixed \$2 monthly charge to fund the incremental cost of procuring RNG as part of the overall system gas supply”. (p 17)

EGI proposed a pilot Low Carbon Energy Project (**LCEP**) to supply natural gas blended with up to 2% renewable hydrogen by volume to customers in Markham, Ontario.² “The LCEP pilot project, and future projects of the same type, will expand EGI’s ability to support current and future government policies and objectives aimed at reducing greenhouse gas emissions.” (p 18)

- a) Does EGI have any other plans for introducing any further RNG supply into its gas supply plans? Please address the anticipated timelines, quantities, suppliers, locations, and impacts of RNG supply in relation to gas supply planning.

- b) Does EGI have any plans to introduce any further hydrogen supply into its Plan? Please address the anticipated timelines, quantities, suppliers, locations, and impacts of hydrogen blending and/or injection.

¹ EB-2020-0066

² EB-2019-0294

Question: **Anwaatin.3**

Reference: • Plan, p. 4-5

Preamble: The Plan may inform or underpin strategic, higher level decisions in relation to natural gas supply, storage, and transportation.

In its [Decision and Order on Enbridge Gas Distribution Inc.'s application for the RNG Enabling Program in EB-2017-0319 dated October 18, 2018](#), the Ontario Energy Board confirmed that “strategic, higher level decisions can trigger the duty to consult” First Nation and Métis communities (p. 25)

- a) Please identify any and all outstanding or continuing Aboriginal or Treaty rights and/or traditional territories that apply to each and all of EGI’s pipeline infrastructure and natural gas supply and storage areas.

- b) For the Plan, please describe and provide evidence for whether — and, if so, how — EGI determined, interpreted, and applied:
 - (i) its procedural requirements;
 - (ii) the Crown’s procedural requirements; and
 - (iii) the Ontario Energy Board’s procedural requirements;

in assisting the Crown in fulfilling its duty to consult and accommodate the First Nation and Métis communities in relation to the Plan.

Question: **Anwaatin.4**

Reference • Plan, p. 11

Preamble: Liquefied natural gas (**LNG**) services and distribution facilities are beginning to play a role in natural gas distribution in Ontario.

- a) What are EGI's plans for introducing LNG supply into the Plan?

- b) What role does LNG play in natural gas expansion programs related to the ACGA, or otherwise?

Question: Anwaatin.5

Preamble: Across Ontario, EGI natural gas infrastructure traverses First Nation treaty lands, as well as reserve lands. Municipal Franchise Agreements may serve as a mechanism for easement agreements between municipal governments and utilities.

- a) For the Plan, what agreements, if any, does EGI envision between First Nation governments and the company to support the Plan, while ensuring that First Nation easement and rights-of-way petitions do not delay service expansions, or cause increased costs to ratepayers?

Question: **Anwaatin.6**

Reference Plan, pp. 25-26

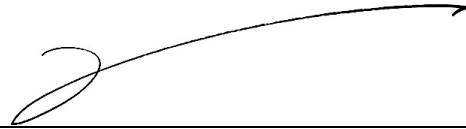
Preamble: EGI notes the new and emerging trend of Sustainable Natural Gas (**SNG**) in Ontario and North America, more generally. “EGI has been closely monitoring the development of new certifications which measure a natural gas producer’s conformance to a number of standards ... measure the impacts to environmental, social, and governance (“ESG”) attributes including ... relations with Indigenous Communities”. (p 25) As an example, the Equitable Origins EO100™ Certification and corresponding Standard includes compliance with Indigenous peoples’ rights.

EGI notes that it “is investigating SNG frameworks and exploring opportunities for the potential inclusion of SNG within its system supply portfolio as early as November 1, 2021”. (p 26)

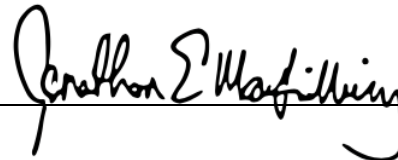
- a) Please indicate which SNG frameworks EGI is currently, or expects to, consider and review?
- b) Please indicate the SNG opportunities EGI is exploring for potential inclusion into its system supply portfolio.
- c) Please provide details of what EGI will use to assess SNG opportunities as they relate to relations with Indigenous Communities and the rights of Indigenous peoples.
- d) Please indicate if EGI currently has, or expects to have, an SNG target for its gas supply portfolio. If yes, please provide details. If not, please explain why not.

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS

30th day of March, 2021.



Lisa (Elisabeth) DeMarco
Resilient LLP
Counsel for Anwaatin



Jonathan McGillivray
Resilient LLP
Counsel for Anwaatin