

Ms. Christine Long
OEB Registrar
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

May 31, 2021

**Re: EB-2021-0002 Enbridge Multi-Year Demand Side Management Plan (2022 to 2027)
Pollution Probe Intervenor Request**

Dear Ms. Long:

Pollution Probe is in receipt of the notice for the above noted proceeding. The application in this proceeding combines both a proposed 6 Year DSM Plan and a request for approval of a new multi-year DSM Framework. This is a major proceeding consisting of potential multi-year approvals in the order of \$1 billion, plus new approval for a set of rules to potentially replace the OEB DSM Framework, OEB DSM Guidelines and related OEB Decisions (e.g. Mid-term Review).

Enbridge requested OEB approval by August 31, 2021 (July 31 for budget), but indicated that the proceeding will likely take longer based on the scope and past experience, potentially extending in to 2022¹. Pollution Probe agrees that it is not practical to work through budget, program and related Framework issues in a one or two month period (less by the time a procedural order is issued). Given the essential linkages between the DSM Framework, DSM Plan, programs and budgets, it does not seem possible to split the proceeding up into a series of OEB sub-decisions. Pollution Probe believes that it is possible to complete the review of the DSM Plan and proposed DSM Framework prior to the end of 2021. This is preferred to OEB pre-approval in advance of a final Decision in 2022. If the OEB determines that there is insufficient time to review the 6 Year Plan, budgets and new DSM Framework, then the OEB always has the ability to provide a one-year extension to the current OEB DSM Framework and transition to a new Framework in 2023 with a 5 Year DSM Plan in order to adequately assess the application and its impacts out to 2027. The road ahead is not binary and Pollution Probe encourages the OEB to take the most prudent approach to ensure innovation and long-term benefits to Ontarians. To help expedite the process, the OEB could immediately retain an expert consultant to perform a review of energy efficiency portfolio best practices, an inventory of energy conservation programs, initiative and incentives available to Ontario energy consumers in 2022-27 and subsequent years. This would provide a sound foundation that could be complimented by other stakeholders and experts.

An oral hearing component, similar to that successfully used by the OEB in the recent gas IRP proceeding (EB-2020-0091) could help ensure a thorough assessment and expedite review since it provides a concentrated forum to assess relevant evidence and issues that a written proceeding alone cannot achieve. An issues list was developed for the post-2020 DSM Framework review and previous issue lists for DSM Plan reviews exist that could form the basis for a Draft Issues list available for OEB Staff circulation as early as mid-June. The OEB could also internally (or via consultant) consolidate the large

¹ EB-2021-0002 Exhibit A Tab 2 Schedule 1 Page 3 of 7

number of OEB Decisions and direction over the current and previous DSM plans to identify the checklist of requirements that the OEB expected for the new multi-year DSM Plan and Framework. For example, the OEB indicated that it “expects the gas utilities to develop innovative DSM programs over the course of the new [2015-2020] DSM framework” and that “DSM budgets should be used to continue to transition programs from those which offer and focus on short-term benefits to primarily pursuing long-term natural gas savings” (EB-2014-0134, Report of the Board, DSM Framework for Natural Gas Distributors (2015-2020), December 22, 2014, Page 19). The fruits of innovations and enhancements from the last 6 years should help move from the old status quo to an enhanced approach that increases cost-effectiveness and long-term results.

A Stakeholder Conference early in the process could also help identify other issues, options and solutions. The content of Enbridge’s proposed ‘Introduction Day’ could be included in the morning, with the remainder of the day reserved for OEB Staff to facilitate a detailed stakeholder discussion on options and the best path forward. Following that session, the OEB could facilitate a process to finalize the procedure and issues list for the proceeding. On a related note, it is unclear if the proposed Enbridge DSM Framework would entirely replace all existing OEB Framework, Guidelines, Decisions and other related processes. The OEB developed the current approach to apply to all Ontario natural gas utilities and replacing those with an Enbridge specific set of rules needs to be thoroughly assessed, since it could require a second Framework to be developed for broader Ontario natural gas utility use. It appears that one generic OEB DSM Framework is the most efficient route.

Pollution Probe hereby applies for intervenor status and requests that it be eligible for the recovery of reasonably incurred costs for its participation. Pollution Probe is a frequent intervenor in Board proceedings and a copy of the current Annual Filing can be found on the Board’s website at the following location:

<https://www.rds.oeb.ca/CMWebDrawer/Record/687123/File/document>

Pollution Probe intends to focus on all aspects related to the proposed DSM Plan and the proposed DSM Framework, including:

- Programs, evaluation, avoided costs, scorecards, budgets, targets and incentives.
- Opportunities to partner and align with concurrent energy efficiency programs over the term of the proposed plan, including Ontario community energy and emission plans, IESO and government programs. In the past 6 months over \$2 billion of (natural gas related) energy efficiency programs have been announced that will be available over the timeframe of the proposed DSM plan. Ontario consumers have full access to all of these program opportunities. In addition, there have been complimentary Ontario-centric programs announced by other stakeholders, including IESO and Ontario municipalities. It is important to ensure that the increased opportunities for partnerships and more cost-effective energy/emissions reductions for Ontario energy consumers are a core decision factor for the OEB. Combined, this has the opportunity to achieve the Province of Ontario Made-in-Ontario DSM goals and the cost-effective opportunities outlined in the Ontario Natural Gas Achievable Potential Study. This outcome has never been possible in Ontario until now.
- Alignment and consistency of merging legacy Enbridge Gas and Union Gas programs to ensure the best outcomes for Ontario consumers and communities.

- Improvements to the DSM Framework based on learnings from recent proceedings, audits and industry best practices.
- Alignment with industry best practices and policy goals.

Intention to Seek Cost Awards

Pollution Probe is a not-for-profit charitable organization. We receive individual donations as well as funding for consumer and research projects, such as on community energy planning, future of natural gas and regulated utility innovation, from a variety of public and private sources. Without the prospect of an award of costs, Pollution Probe's ability to participate in the process would not be possible. Pollution Probe has been an active and valuable participant in proceedings before the Ontario Energy Board and will continue to coordinate its activities, where appropriate, with other parties which represent consumer, community and environmental interests in Ontario.

Notice

Pollution Probe requests that further communications with respect to this matter be sent to:

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Respectfully submitted on behalf of Pollution Probe.



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cc: Enbridge (email via EGIRegulatoryProceedings@enbridge.com)
Asha Patel, Enbridge Legal (via email)
Dennis O'Leary, Aird & Berlis (via email)
Richard Carlson, Pollution Probe (via email)