



# **Ontario Energy Board Commission de l'énergie de l'Ontario**

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## **DECISION ON ISSUES LIST AND PROCEDURAL ORDER NO. 3**

**EB-2021-0002**

### **ENBRIDGE GAS INC.**

**Application for Multi-Year Natural Gas Demand Side Management  
Plan (2022 to 2027)**

**BEFORE: Michael Janigan**  
Presiding Commissioner

**Anthony Zlahtic**  
Commissioner

**Patrick Moran**  
Commissioner

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**September 9, 2021**

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## 1 INTRODUCTION AND SUMMARY

Enbridge Gas Inc. applied to the Ontario Energy Board (OEB) for approval of a new natural gas demand side management (DSM) policy framework, effective January 1, 2022, as well as approval of a new multi-year DSM plan, inclusive of budgets, programs and targets from January 1, 2022 to December 31, 2027.

In addition to the general approval of the proposed policy framework and multi-year DSM plan, Enbridge Gas requested the OEB approve its proposed DSM budget by July 30, 2021. Enbridge Gas also requested an interim decision by August 31, 2021 approving its proposed DSM activities in 2022, subject to necessary adjustments on a prospective basis following the OEB issuing its final Decision and Order in this proceeding.

The OEB approved separate six-year DSM plans for Enbridge Gas Distribution Inc. (EGD) and Union Gas Limited (Union) on January 20, 2016 (the 2015-2020 DSM Decision).<sup>1</sup> On July 16, 2020, the OEB approved a one-year extension of the 2020 DSM plans for the EGD and Union rate zones.<sup>2</sup>

The OEB issued [Procedural Order No. 1](#) on June 21, 2021, which among other things, set out a schedule for submissions related to Enbridge Gas's request for interim approval by August 31, 2021 of its 2022 DSM program year.

The OEB issued [Procedural Order No. 2](#) on June 22, 2021, which denied Enbridge Gas's request for early approval of its proposed 2022 to 2027 DSM budget and set out the schedule for the issues list process. The OEB indicated that a comprehensive review of the programs and budgets was required before any approvals can be provided.

The OEB issued a [Decision and Order](#) on August 26, 2021, which approved the continuation of the OEB-approved 2015-2021 DSM plans for the 2022 program year. The OEB indicated that it was important to ensure program continuity during its review of Enbridge Gas's new DSM proposals and that the existing programs would maintain familiar programs for natural gas customers to use when making efficiency upgrades to their homes and businesses.

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<sup>1</sup> [EB-2015-0029/0049, Decision and Order, January 20, 2016](#)

<sup>2</sup> EB-2019-0271

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In this Decision and Procedural Order, the OEB provides further direction on the scope of the proceeding, approves a final Issues List, and establishes procedural steps for the next phase of the proceeding. The OEB has determined that this proceeding will include a comprehensive review of Enbridge Gas's proposed DSM framework, and multi-year DSM plan, including proposed natural gas savings targets, budgets, and programs.

The next stage in this proceeding will be for parties to file written interrogatories on Enbridge Gas's evidence prior to intervenors and OEB staff filing evidence that will assist the OEB in addressing the issues on the Issues List.

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## 2 DECISION

### 2.1 Submission on Draft Issues List

The OEB used a two-stage process to seek input on the draft issues list (Draft Issues List) developed by OEB staff. Enbridge Gas and intervenors were invited to file written submissions on the Draft Issues List. Following these submissions, all parties (including Enbridge Gas and OEB staff) had an opportunity to provide additional comments regarding the submissions of other parties.

The following parties provided comments, through a submission on the Draft Issues List, a reply comment in response to the submissions of other parties, or both.

- Anwaatin Inc. (Anwaatin)
- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association (BOMA)
- Consumers Council of Canada (CCC)
- Canadian Manufacturers & Exporters (CME)
- Enbridge Gas
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- Federation of Rental-housing Providers of Ontario (FRPO)
- Green Energy Coalition (GEC)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Low Income Energy Network (LIEN)
- OEB staff
- Ontario Greenhouse Vegetable Growers (OGVG)
- Ontario Sustainable Energy Association (OSEA)
- Pollution Probe
- School Energy Coalition (SEC)
- Small Business Utility Alliance (SBUA)
- Vulnerable Energy Consumers Coalition (VECC)

The OEB has considered these comments in the development of the final issues list (Issues List). Comments from parties are discussed in the sections below, in relation to the OEB's findings on specific issues in the Issues List.

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## 2.2 General Issues

As part of Enbridge Gas's initial submission, it was generally supportive of the Draft Issues List, but proposed that two issues (Draft Issue 2 – Comparison with Industry Best Practice, and Draft Issue 5 – Budgets and Cost Recovery) be considered as preliminary issues. Enbridge Gas indicated that it was important that these issues be addressed as preliminary matters to ensure its proposals are aligned with the OEB's direction. Enbridge Gas also proposed a material re-ordering and consolidation of the issues.

Intervenors and OEB staff did not support Enbridge Gas's suggestion to address budget and cost recovery or a comparison with industry best practice as preliminary issues. Parties noted that addressing these issues through a preliminary process would not allow parties and the OEB to consider these issues at the same time that consideration is given to the details of the proposed DSM plan and its components.

### Findings

Given the OEB's decision regarding the 2022 DSM program, these issues are not preliminary matters and will be part of the review of the 2023-2027 DSM Plan.

### Issue 1 – OEB and Government Direction

Draft Issue 1 asked if Enbridge Gas's 2022-2027 DSM framework and DSM plan adequately responds to previous OEB direction and supported energy conservation in accordance with the policies of the Government of Ontario.

Intervenors were supportive of Draft Issue 1 and did not have any substantial comments. Enbridge Gas suggested splitting this issue into two separate issues, one that focuses on whether Enbridge Gas's proposals adequately responds to OEB direction and the other focusing on consistency with government policy. Enbridge Gas also suggested addressing "regard to consumers' economic circumstances" be included as part of Draft Issue 5 that addresses budgets instead of including within Draft Issue 1. OEB staff supported Enbridge Gas's suggestions.

SEC sought confirmation that issues of governance and advisory paradigms could be raised within this issue.

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## Findings

The OEB agrees with Enbridge Gas's suggestion to split Issue 1. The OEB also confirms that issues of governance and advisory paradigms fall within the scope of this issue.

Issue 1 is revised as follows:

- *Does Enbridge Gas's 2023-2027 DSM Framework and DSM Plan adequately respond to previous OEB direction and guidance on future DSM activities (e.g., DSM Mid-Term Review Report, 2021 DSM Decision, OEB's post 2021 DSM guidance letter)?*
- *Does Enbridge Gas's 2023-2027 DSM Framework and DSM Plan adequately support energy conservation and energy efficiency in accordance with the policies of the Government of Ontario, including having regard to consumers' economic circumstances?*

## Issue 2 – Industry Best Practice

Draft Issue 2 asked if Enbridge Gas's 2022-2027 DSM plan is consistent with energy conservation industry best practice in Ontario and other jurisdictions such as California, Massachusetts, Vermont, and Michigan.

Enbridge Gas raised concern with including this kind of review as best practices can be subjective. Enbridge Gas suggested refining the comparison to Canadian examples only.

Intervenors and OEB staff opposed Enbridge Gas's submission. Parties strongly supported maintaining this issue. They stressed the importance of including a comparison with other leading jurisdictions, regardless of if they are in Canada or the U.S., as it is important for the OEB to review and consider other options when determining the best approach to the next multi-year natural gas DSM term for Ontario.

## Findings

The OEB is of the view that a comparison of Enbridge Gas's DSM plan with programs in other leading jurisdictions should be included in the issues list, regardless of nationality. This is an important consideration in determining the best approach to the 2023-2027 DSM Plan, and should not be limited to Canadian jurisdictions.

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Issue 2 is revised as follows:

*Is Enbridge Gas's 2023-2027 DSM plan consistent with energy conservation best practices in Ontario and other relevant Canadian and U.S. jurisdictions?*

### **Issue 3 – DSM Plan Term**

Draft Issue 3 asked if Enbridge Gas's proposed DSM plan term is appropriate. Parties were supportive of maintaining Draft Issue 3 as initially drafted.

### **Findings**

As a result of the OEB's Decision on 2022 DSM activities, the 2022 program year will not be included in the OEB's review of Enbridge Gas's proposal. Therefore, the issue will be modified as follows:

*Is Enbridge Gas's proposed DSM Plan term of 2023-2027 appropriate?*

## **2.3 Specific Issues within Enbridge Gas's 2022-2027 DSM Application**

### **Issue 4 – DSM Framework**

Draft Issue 4 asked if Enbridge Gas's proposed DSM policy framework, including guiding principles, and guidance on budgets, targets, programs, evaluation, and accounting treatment is appropriate.

Parties did not have any material changes to suggest for Draft Issue 4. LIEN suggested including stakeholder engagement as part of the issue. OEB staff noted that Draft Issue 15 already considers stakeholder engagement and is sufficient to address any related concerns. SEC sought confirmation that program changes and budget transfers within the plan term can be explored through this (or other issues).

### **Findings**

The OEB agrees with OEB staff that this issue does not require any revisions. Stakeholder engagement can be explored through issue 15 that addresses the topic. The OEB also confirms that SEC is correct, program changes and budget transfers can be explored through this issue (or the issue related to accounting treatment). No changes to this issue are necessary.

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**Issue 5 – DSM Budget**

Draft Issue 5 asked if Enbridge Gas's budget proposal, including program costs, portfolio costs, and cost recovery approaches result in a reasonable rate impact while addressing the OEB's DSM objectives outlined in the letter issued on December 1, 2020.

Enbridge Gas suggested that this issue be divided into two separate issues so that the budget proposal and cost recovery approaches would each be considered alone, with a reference to resulting rate impacts included in the issue on cost recovery. OEB staff supported this recommendation but suggested that the reference to the reasonableness of the resulting rate impacts not be included in the issue focused on cost recovery approaches.

LIEN suggested that the OEB add additional language to make it clear that when reviewing the budget proposal, each year of the multi-year term would be in scope. OEB staff noted that the draft issue already captures this concept but did not object to a revision if the OEB saw value in doing so.

**Findings**

The OEB agrees with OEB staff that each year of the DSM term is in scope under this issue and is of the view that a revision to the issue is not necessary.

The OEB agrees to Enbridge Gas's request to split Issue 5 into two issues; budget issue alone and cost recovery approaches as a separate issue, with the modification proposed by OEB staff.

Issue 5 is amended as follows:

- *Does Enbridge Gas's proposed budget, including program costs and portfolio costs, result in reasonable rate impacts while addressing the OEB's stated DSM objectives in its letter issued on December 1, 2020, including having regard to consumers' economic circumstances? and*
- *Is Enbridge Gas's proposed cost recovery approach appropriate while addressing the OEB's stated objectives in its letter issued on December 1, 2020?*

**Issue 6 – Shareholder Incentive**

Draft Issue 6 asked if Enbridge Gas's proposed shareholder incentives are appropriate and if any other incentive mechanism should be considered.

Parties did not have any revisions to suggest to the issue related to available shareholder incentives. SEC sought confirmation that parties can address issues of linking the shareholder incentive to declining natural gas use as part of this issue or the issue on targets and scorecards.

Enbridge Gas noted that should the OEB determine that an alternative cost recovery approach is appropriate, its proposed shareholder incentive structure would need to be reconsidered.

## Findings

The OEB confirms that exploring potential shareholder incentive structures and metrics can be pursued by parties either as part of this issue or the issue related to targets and scorecards. The OEB also agrees with Enbridge Gas that as part of its consideration of alternative cost recovery models, the implications to the shareholder incentive will be included. No changes to this issue are necessary.

## Issue 7 – Targets and Performance Scorecards

Draft Issue 7 asked if Enbridge Gas's proposed targets and scorecards were appropriate as well as if the proposed scorecards, targets and metrics for each program are appropriate.

Enbridge Gas suggested removing language in the draft issue that focused on the scorecards ensuring progressively greater performance. Enbridge Gas submitted that this type of objective should be a topic for discussion and not pre-determined. OEB staff was open to this revision. OEB staff also suggested a refinement to the draft issue to help clarify the focus of review when assessing the proposed scorecards.

Pollution Probe suggested to add the word "budget" to this issue. OEB staff noted that there is a separate issue to address issues related to budget so in its view, no change was necessary.

## Findings

The OEB accepts the refinements proposed by OEB staff. The question whether there should be progressively greater performance year over year will be a topic for discussion. Issue 7 is modified as follows, while all subsequent sub-issues have been included with no changes:

- 7. Are Enbridge Gas's proposed scorecards, including performance metrics, metric weightings, and targets, appropriate?*

- a. Is Enbridge Gas's proposed annual target adjustment mechanism appropriate?*

## **Issue 8 – DSM Programs**

Draft Issue 8 asked if Enbridge Gas has proposed an optimal suite of program offerings that will maximize natural gas savings and provide the best value for rate payer funding. The draft issue also asks if each proposed program is appropriate and if the OEB should consider any other programs.

Several parties made specific comments on the issue related to Enbridge Gas's proposed programs. The nature of these comments was largely to recommend that the customer groups they represent be specifically identified in an issue. Anwaatin requested that the Issues List specifically identify indigenous customers. SBUA requested that the Issues List specifically reference small and medium commercial customers. APPrO requested that gas-fired generators be specifically identified as one of the large volume customers. Enbridge Gas and OEB staff shared a similar view, indicating that they did not believe there is a need to specifically identify customers or customer groups as the issues are intended to apply to all customers.

Enbridge Gas suggested that Issue 8 be revised to be consistent with the OEB's December 1, 2020, letter "Does Enbridge Gas's proposed DSM Plan appropriately address the OEB's stated objectives in its letter issued on December 1, 2020 including consideration for maximizing gas savings and providing value for ratepayers." OEB staff was of the view that draft issue 1 allows the OEB to assess if Enbridge Gas's plan addresses past direction and guidance from the OEB. OEB staff noted the importance of ensuring that Enbridge Gas's approved DSM plan is comprised of the right mix of programs and that they will deliver the best value given that the OEB has been asked to provide approval until the end of 2027.

FRPO submitted that the issues list include a new issue that relates to the eligibility criteria for low-income participants. OEB staff supported explicitly including the eligibility criteria due to its importance to the proposed low-income program. Enbridge Gas submitted that the draft issues list is sufficiently broad to address this issue.

OGVG suggested that a distinct issue be added related to maximizing participation by all of Enbridge Gas's customers. SEC, OEB staff, and Enbridge Gas shared similar views that OGVG's suggestion can be addressed through the broad program-related issues included in the Draft Issues List. However, OEB staff and SEC suggested it may

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be helpful to include OGVG suggestion as a separate issue as it is an important area that addresses equity and value of ratepayer funding.

## Findings

The OEB is generally of the view that it is not necessary to highlight specific subsets of customers beyond what has been identified in this issue. However, the OEB will add the following sub-issue to Issue 8:

- i. Are Enbridge Gas's proposed program offerings appropriate for customers in Indigenous communities?*

## Issue 9 – Research and Development

Draft Issue 9 asked if Enbridge Gas's proposed research and development activities are appropriate.

Pollution Probe suggested that the issue related to research and development be re-worded to make it clear that the issue considers all topics related to research and development, including budgets to undertake this work. OEB staff was of the view that no changes are needed as the issue is drafted broadly to include all items, including budget.

## Findings

The OEB agrees with OEB staff that no changes are required as the budgetary issue raised by Pollution Probe is subsumed within the issue as drafted.

## Issue 10 – Evaluation, Measurement and Verification

Draft Issue 10 asked if Enbridge Gas's proposed changes to the OEB's evaluation, measurement, and verification process are appropriate.

Parties did not suggest any revisions to this issue.

## Findings

No changes to Issue 10 are required

## Issue 11 – Input Assumptions, Cost-Effectiveness Screening and Avoided Costs

Draft Issue 11 asked if Enbridge Gas's proposed updates to the treatment of input assumptions, cost-effectiveness screening, and avoided costs is appropriate.

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Parties did not suggest any revisions to this issue.

**Findings**

No changes to Issue 11 are required.

**Issue 12 – Accounting Treatment**

Draft Issue 12 asked if Enbridge Gas's proposed accounting treatment, including the function of various deferral and variance accounts is appropriate.

Parties did not suggest any revisions to this issue. SEC sought confirmation that program changes and budget transfers can be explored within this issue.

**Findings**

No changes to Issue 13 are required.

**Issue 13 – Integrated Resource Planning**

Draft Issue 13 asked if Enbridge Gas's proposed DSM plan requires any changes to be consistent with the OEB's decision and guidance on Enbridge Gas's Integrated Resource Planning proposal.

Parties commenting on this issue shared a general view that the issue be revised slightly to ensure alignment between the IRP decision and the proposed DSM plan and framework. OEB staff supported the minor changes proposed by parties.

**Findings**

The IRP Decision was issued on July 22, 2021, and as a result, Issue 13 is modified as follows:

*Does Enbridge Gas's proposed 2023-2027 DSM Plan require any changes to be consistent with the OEB's decision and guidance regarding Enbridge Gas's Integrated Resource Planning proposal (EB-2020-0091)?*

**Issue 14 – Coordination**

Draft Issue 14 asked if Enbridge Gas has proposed a reasonable approach to coordinating natural gas DSM programs with electricity conservation programs and other energy conservation programs within its service territory.

IGUA requested that this issue be expanded to also reference greenhouse gas (GHG) reduction programs. IGUA noted that parties need to be mindful of other relevant considerations when assessing the appropriateness of Enbridge Gas's proposed approach. OEB staff supported IGUA's proposed revision. Enbridge Gas did not think these amendments were necessary as these issues could be addressed through the issue as initially drafted.

## Findings

The OEB agrees with IGUA that GHG reduction programs and regulations are additional considerations to be taken into account in evaluating DSM programs. Issue 14 is modified as follows:

*Has Enbridge Gas proposed a reasonable approach to ensure natural gas DSM programs are effectively coordinated with electricity conservation programs and other energy conservation and greenhouse gas reduction programs applicable in its service territory?*

## Issue 15 – Stakeholder Engagement

Draft Issue 15 asked if Enbridge Gas's approach to stakeholder engagement is reasonable.

Anwaatin suggested to add a new sub-issue to Draft Issue 15 to ensure meaningful engagement with Indigenous customers. OEB staff supported this suggestion.

## Findings

The OEB agrees with Anwaatin's request as supported by OEB staff. Issue 15 is revised as follows:

*Is Enbridge Gas's stakeholder engagement proposal reasonable, including its engagement with Indigenous communities?*

## Other Proposals

Enbridge Gas proposed that the OEB include the following issue:

### Transition and Implementation

- What transition and implementation steps are appropriate as a result of the OEB's interim decision on the 2022 DSM plan and its final decision and order?

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Parties supported the inclusion of an issue related to transition and implementation noting it is an important part of any DSM plan.

### **Findings**

The OEB supports inclusion of the issue as drafted by Enbridge Gas. Issue 16 is added to the list of issues as proposed:

*What transition and implementation steps are appropriate as a result of the OEB's decision on the 2022 DSM plan and its final decision and order?*

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### 3 NEXT PROCEDURAL STEPS

With the OEB's approval for Enbridge Gas to continue its 2021 DSM plan for the 2022 program year, the next stage in this proceeding will provide an opportunity for Enbridge Gas to file updated evidence that responds to the OEB's decision.

Pollution Probe suggested that the OEB consider holding a stakeholder conference early in the process to promote alignment and understanding of the issues and provide parties with an opportunity to build collaboration and efficiency in the process. Pollution Probe suggested that the stakeholder conference be more comprehensive than the proposed Introduction Day suggested by Enbridge Gas, and possibly span multiple days and include questions from parties.

The OEB will not schedule a stakeholder conference at this time. Rather, the OEB has provided other steps in this proceeding to allow parties to gain a better understanding of the evidence, including interrogatories and a technical conference. The OEB will consider the merits of additional procedural events as the proceeding continues.

In response to the OEB's Decision on 2022 DSM activities, Enbridge Gas filed a letter on September 1, 2021, requesting an extension to the filing date for its updated evidence. Enbridge Gas requested to file its updated evidence responding to the OEB's Decision by September 30, 2021, two weeks after the date ordered by the OEB. Enbridge Gas indicated that although its update will be mostly mechanical in nature, some changes to structural elements of the proposed multi-year plan may require modification including, for example, the three-year scorecards which were originally proposed. Enbridge Gas proposed to file a complete updated evidentiary package to have a clear and complete record for the balance of the proceeding as opposed to filing numerous pages of amended evidence which may unnecessarily complicate matters and could lead to confusion.

The OEB accepts Enbridge Gas's request for a short extension to filing its updated evidence. The OEB agrees that having Enbridge Gas file a full evidentiary update will assist in making sure the OEB and parties are reviewing the correct evidence throughout the proceeding.

As noted in Procedural Order No. 1, OEB staff is procuring expert evidence related to the experience of amortizing energy efficiency and conservation portfolio costs and the relationship to performance incentives throughout North America. This was an area of interest identified as part of the [OEB's DSM Mid-Term Report](#) as well as part of the

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post-2020 DSM framework policy consultation prior to its conclusion.<sup>3</sup> The OEB is requiring OEB staff to file a letter providing more details on the nature of this evidence and any other evidence it plans to file by September 16, 2021.

All other parties intending to file additional evidence will then be required to file a letter with the OEB describing the nature of their proposed evidence, which should not duplicate that of OEB staff. Parties intending to file evidence are strongly encouraged to work co-operatively.

Cost eligible intervenors who intend to file evidence and seek recovery of costs for this should provide additional details, including whether the evidence will be commissioned jointly with other parties, how those customers represented by the intervenors are affected by the subject matter of the evidence, and the estimated cost for the evidence.

Regarding eligibility for cost recovery related to evidence, preference will be given to expert evidence, within the meaning of this term as it is used in the OEB's [Rules of Practice and Procedure](#). The description of the estimated cost of any expert evidence should include an explanation of any assumptions regarding the purpose and scope of the participation of the expert in the proceeding and should include an estimate of any incremental time that will be spent by the intervenor's counsel or any other consultants in relation to the expert evidence. In addition, the expert's prior experience testifying on the subject before a regulator should be included.

After reviewing the letters filed, the OEB will provide guidance on whether and to what extent any costs associated with evidence will be eligible for cost recovery.

The OEB has also set out dates for parties to file written interrogatories on evidence in this proceeding. Parties should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

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<sup>3</sup> OEB Letter, December 19, 2020, EB-2019-0003

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## 4 ORDER

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The scope of the proceeding is specified by the Issues List approved by the OEB and attached as Appendix A to this Decision and Procedural Order No. 3.
2. OEB staff shall file a letter with the OEB describing the nature of its proposed evidence by **September 16, 2021**.
3. Parties that intend to file any evidence in this proceeding shall file a letter with the OEB describing the nature of the proposed evidence by **September 23, 2021**.
4. Enbridge Gas shall file any updated evidence in response to the OEB's Decision on 2022 DSM Activities with the OEB and deliver to all parties by **September 30, 2021**.
5. OEB staff and intervenors requesting information or material from Enbridge Gas that is in addition to the evidence filed and is relevant to the hearing shall file written interrogatories with the OEB and deliver them to Enbridge Gas Inc. and all intervenors by **October 22, 2021**.
6. Enbridge Gas shall file its responses to the interrogatories directed to it with the OEB and shall deliver those responses to all parties by **November 15, 2021**.
7. OEB staff and any additional parties accepted to file evidence shall file their evidence with the OEB by **November 26, 2021**.
8. Parties requesting information or material from those parties that filed evidence that is in addition to the evidence filed and is relevant to the hearing shall file written interrogatories with the OEB and delivery them to all parties by **December 17, 2021**.
9. Parties in receipt of interrogatories shall file with the OEB complete written responses to all interrogatories received and shall deliver those response to all parties by **January 19, 2022**.

10. A transcribed, virtual technical conference among the parties and OEB staff will be convened on **January 31, 2022**, starting at 9:30 a.m. If necessary, the technical conference will continue on **February 1-2, 2022**. Information on virtual participation will be communicated to parties later.

11. Enbridge Gas shall file any undertakings and exhibits from the technical conference with the OEB and sent to all parties by **February 14, 2022**.

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](#).

Please quote file number, **EB-2021-0002** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [Filing Systems page](#) on the OEB's website
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

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With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Josh Wasylyk at [Josh.Wasylyk@oeb.ca](mailto:Josh.Wasylyk@oeb.ca) and OEB Counsel, Lawren Murray at [Lawren.Murray@oeb.ca](mailto:Lawren.Murray@oeb.ca).

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Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto September 9, 2021

**ONTARIO ENERGY BOARD**

*Original Signed By*

Christine E. Long  
Registrar

## **Appendix A**

**Enbridge Gas Inc.**

**EB-2021-0002**

**2022-2027 DSM Framework and Plan Application**

### **Issues List**

**Dated: September 9, 2021**

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## Appendix A – Issues List

### General Issues

1. Does Enbridge Gas's 2023-2027 DSM Framework and DSM Plan adequately respond to previous OEB direction and guidance on future DSM activities (e.g., DSM Mid-Term Review Report, 2021 DSM Decision, OEB's post-2021 DSM guidance letter)?
2. Does Enbridge Gas's 2023-2027 DSM Framework and DSM Plan adequately support energy conservation and energy efficiency in accordance with the policies of the Government of Ontario, including having regard to consumers' economic circumstances?
3. Is Enbridge Gas's 2023-2027 DSM plan consistent with energy conservation industry best practices in Ontario and other relevant Canadian and U.S. jurisdictions?
4. Is Enbridge Gas's proposed DSM Plan term of 2023-2027 appropriate?

### Specific Issues within Enbridge Gas' 2022-2027 DSM Application

5. Is Enbridge Gas's proposed DSM policy framework, including guiding principles and guidance related to budgets, targets, programs, evaluation, and accounting treatment appropriate?
6. Does Enbridge Gas's proposed budget, including program costs and portfolio costs result in reasonable rate impacts while addressing the OEB's stated DSM objectives in its letter issued on December 1, 2020, including having regard to consumers' economic circumstances?
7. Is Enbridge Gas's proposed cost recovery approach appropriate while addressing the OEB's stated objectives in its letter issued on December 1, 2020?
8. Are Enbridge Gas's proposed shareholder incentives appropriate?
  - a. Is Enbridge Gas's proposed annual maximum shareholder incentive, including structure, and amount appropriate?
  - b. Is Enbridge Gas's proposed Long Term shareholder incentives appropriate?
  - c. Is Enbridge Gas's Annual Net Benefits Shared Savings proposal appropriate?

- d. Are there any other incentive mechanisms that should be included in addition to or to replace those proposed by Enbridge Gas?
9. Are Enbridge Gas's proposed scorecards, including performance metrics, metric weightings, and targets appropriate?
- a. Is Enbridge Gas's proposed annual target adjustment mechanism appropriate?
  - b. Is Enbridge Gas's proposed Residential Program Scorecard, including targets and performance metrics appropriate?
  - c. Is Enbridge Gas's proposed Low Income Program Scorecard, including targets and performance metrics appropriate?
  - d. Is Enbridge Gas's proposed Commercial Program Scorecard, including targets and performance metrics appropriate?
  - e. Is Enbridge Gas's proposed Industrial Program Scorecard, including targets and performance metrics appropriate?
  - f. Is Enbridge Gas's proposed Large Volume Program Scorecard, including targets and performance metrics appropriate?
  - g. Is Enbridge Gas's proposed Energy Performance Program scorecard, including targets and performance metrics appropriate?
  - h. Is Enbridge Gas's proposed Building Beyond Code Program scorecard, including targets and performance metrics appropriate?
  - i. Is Enbridge Gas's proposed Low Carbon Transition Program scorecard, including targets and performance metrics appropriate?
  - j. Is Enbridge Gas's proposed Long Term Greenhouse Gas Reduction target appropriate?
  - k. Should there be any other scorecards, targets and/or metrics included in addition to or to replace those proposed by Enbridge Gas?
10. Has Enbridge Gas proposed an optimal suite of program offerings that will maximize natural gas savings and provide the best value for rate payer funding?

- a. Are Enbridge Gas's proposed program offers for residential customers appropriate?
  - b. Are Enbridge Gas's proposed program offerings for low-income customers appropriate?
  - c. Are Enbridge Gas's proposed program offerings for commercial customers appropriate?
  - d. Are Enbridge Gas's proposed program offerings for industrial customers appropriate?
  - e. Are Enbridge Gas's proposed program offerings for large volume customers appropriate?
  - f. Are Enbridge Gas's proposed energy performance program offerings appropriate?
  - g. Are Enbridge Gas's proposed beyond building cost program offerings appropriate?
  - h. Should there be any other program offerings included in addition to or to replace those proposed by Enbridge Gas?
  - i. Are Enbridge Gas's proposed program offerings appropriate for customers in Indigenous communities?
  - j. Is Enbridge Gas's proposed low carbon transition program appropriate?
11. Are Enbridge Gas's proposed research and development activities appropriate?
12. Are Enbridge Gas's proposed changes to the OEB's evaluation, measurement and verification process appropriate, including the proposed Terms of Reference?
13. Are Enbridge Gas's proposed updates to the treatment of input assumptions, cost-effectiveness screening, and avoided costs appropriate?
14. Is Enbridge Gas's proposed accounting treatment, including the function of various deferral and variance accounts appropriate?
15. Does Enbridge Gas's proposed 2023-2027 DSM Plan require any changes to be consistent with the OEB's decision and guidance regarding Enbridge Gas's Integrated Resource Planning proposal (EB-2020-0091)?

16. Has Enbridge Gas proposed a reasonable approach to ensure natural gas DSM programs are effectively coordinated with electricity conservation programs and other energy conservation and greenhouse gas reduction programs applicable in its service territory?
17. Is Enbridge Gas's stakeholder engagement proposal reasonable, including its engagement with Indigenous communities?
18. What transition and implementation steps are appropriate as a result of the OEB's decision on the 2022 DSM Plan and its final decision and order?