

November 1, 2021

Ontario Energy Board
2300 Yonge Street, 27th floor
Toronto, ON M4P 1E4

Attention: Christine Long, Registrar and OEB Secretary

Dear Ms. Long:

**Re: Response to Request by ED for Extension
Enbridge 2022 to 2027 Demand Side Management ("DSM") Plan
EB-2021-0002 ("Application")**

I am writing on behalf of Enbridge Gas Inc. ("**Enbridge Gas**") in response to the letter by counsel for Environmental Defence ("**ED**") dated October 29, 2021 requesting an extension to the date by which intervenors approved to file evidence must serve and file evidence from November 26th to December 10, 2021. Enbridge Gas has concerns with the granting of this extension for the following reasons.

Procedural Order No. 3 ("**PO # 3**") dated September 9, 2021 created tight timelines for all parties. If the extension requested by ED to December 10, 2021 is granted, this will leave only seven days for the evidence filed by intervenors to be reviewed and analyzed by Enbridge and other parties to prepare interrogatories on such evidence. Under PO # 3, these interrogatories are due on December 17, 2021. This date would necessarily also need to be moved forward.

It is to be presumed that the OEB's timetable did not expect any party to be working strenuously over the Christmas holidays particularly given the demands that have been imposed on everyone over the course of the pandemic. It therefore follows that the date by which parties are required to file interrogatories on intervenor evidence will need to be extended well into January 2022. This would put into question the January 19, 2022 deadline under PO #3 for intervenors to provide responses to interrogatories. Any extension of this date would put into question the viability of the technical conference which is scheduled to commence on January 31, 2022.

Enbridge Gas acknowledges that the timelines set out in Procedural Order No. 3 are challenging for all parties. Enbridge Gas, for example, is required by Procedural Order No. 3 to file responses to the over 1,000 interrogatory questions it received by November 15, 2021. This is a daunting task, but one that is incumbent on all the stakeholders. The fact is that parties have been aware of the OEB mandated timelines since September 9, 2021 and diaries of expert witnesses should have been amended to reflect these timelines.

Finally, further delays in the processing of this Application will, as a practical matter, draw into question the ability of the OEB to issue a final decision and order by August 2022 which is the date required by Enbridge Gas to implement the new framework and multi-year DSM Plan as of January 1, 2023.

For these reasons, Enbridge Gas does not support the OEB granting the extension sought by ED.

Yours truly,

AIRD & BERLIS LLP



Dennis O'Leary

DMO/vf

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