



Enbridge Gas Inc.

**Application for natural gas distribution rates effective January 1,
2022**

**PROCEDURAL ORDER NO. 1
November 29, 2021**

Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) on October 15, 2021, under section 36 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, seeking approval for rate changes related to its 2022 Incremental Capital Module (ICM) funding request.

In a separate application (EB-2021-0147), Enbridge Gas applied for rate changes related to its incentive rate-setting mechanism (IRM) and other pass-through cost adjustments effective January 1, 2022 (Phase 1). A settlement proposal between the intervenors and Enbridge Gas, reflecting resolution of all issues in Phase 1 was filed on September 29, 2021. In its Decision on Settlement Proposal and Interim Rate Order issued on October 28, 2021, the OEB accepted the settlement proposal. This is the second phase of the application and pertains to Enbridge Gas's ICM funding request for five projects in 2022, namely,

- St. Laurent Ottawa North Replacement (Phase 3) Project
- NPS 20 Replacement Cherry to Bathurst Project
- Dawn to Cuthbert Replacement and Retrofits Project
- Byron Transmission Station Project
- Kirkland Lake Lateral Replacement Project

A Notice of Hearing for Phase 2 was issued on November 3, 2021. The last date for filing interventions was November 19, 2021.

Each of the following applied for intervenor status:

- Association of Power Producers of Ontario (APPrO)
- Canadian Manufacturers & Exporters (CME)
- City of Kitchener (Kitchener)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Pollution Probe
- School Energy Coalition (SEC)

- Six Nations Natural Gas (SNNG)
- TransCanada PipeLines Limited (TCPL)
- Vulnerable Energy Consumers Coalition (VECC)

APPPrO, CME, CCC, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, Pollution Probe, SEC, and VECC also applied for cost eligibility.

No objection was received from Enbridge Gas.

APPPrO, CME, Kitchener, CCC, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, Pollution Probe, SEC, SNNG, TCPL, and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. APPPrO, CME, CCC, Energy Probe, Environmental Defence, FRPO, IGUA, LPMA, Pollution Probe, SEC, and VECC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

The OEB's expectation is that parties will tailor their participation to match the complexity of issues the OEB will consider in this proceeding. In addition, intervenors are expected to coordinate their participation with each other to every extent possible. Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of an OEB order at the end of a hearing.

Some intervenors submitted that the OEB defer its decision on the type of hearing until after the interrogatory process, while other intervenors submitted that the OEB consider making provision for a settlement conference. At this time the OEB is making provision for interrogatories and responses to interrogatories. The OEB will make its determination on additional procedural steps and the type of hearing later in the process.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. OEB staff and intervenors shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on Enbridge Gas and all other parties by **December 17, 2021**.
2. Enbridge Gas shall file with the OEB complete written responses to the interrogatories and serve them on all intervenors by **January 21, 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-2021-0148** 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 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Petar Prazic, at Petar.Prazic@oeb.ca and OEB Counsel, Ian Richler at Ian.Richler@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, November 29, 2021

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar

SCHEDULE A

LIST OF APPLICANTS AND INTERVENORS

ENBRIDGE GAS INC.

EB-2021-0148

November 29, 2021

**Enbridge Gas Inc.
EB-2021-0148**

APPLICANT & LIST OF INTERVENORS

November 29, 2021

APPLICANT

Rep. and Address for Service

Enbridge Gas Inc.

Bonnie Adams

Regulatory Coordinator
Enbridge Gas Inc.
500 Consumers Road
Willowdale, ON M2J 1P8

Tel: 416-495-5499

Fax: 416-495-6072

EGIRegulatoryProceedings@enbridge.com

APPLICANT COUNSEL

David Stevens

Aird & Berlis LLP

Brookfield Place, P.O. Box 754

Suite 1800, 181 Bay Street

Toronto ON M5J 2T9

Tel: 416-863-1500

Fax: 416-853-1515

dstevens@airdberlis.com

INTERVENORS

Rep. and Address for Service

**Association of Power
Producers of Ontario**

David Butters

President & CEO

Association of Power Producers of Ontario

67 Yonge Street

Suite 1040

Toronto ON M5E 1J8

Tel: 416-322-6549 Ext: 231

Fax: 416-481-5785

david.butters@appro.org

Enbridge Gas Inc.
EB-2021-0148

APPLICANT & LIST OF INTERVENORS

November 29, 2021

**Association of Power
Producers of Ontario**

Flora Ho

Associate
Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto ON M5H 4E3
Tel: 416-367-6581
Fax: 416-367-6749
fho@blg.com

John Vellone

Legal Counsel
Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto ON M5H 4E3
Tel: 416-367-6730
Fax: 416-367--6749
jvellone@blg.com

**Canadian Manufacturers &
Exporters**

Mathew Wilson

Senior VP, Policy and Government Relations
Canadian Manufacturers & Exporters
55 Standish Court
Suite 620
Mississauga ON L5R 4B2
Tel: 647-808-8231
Fax: 905-672-1764
mathew.wilson@cme-mec.ca

Emma Blanchard

Borden Ladner Gervais LLP
100 Queen Street
Suite 1300
Ottawa ON K1P 1J9
Tel: 613-369-4755
Fax: 613-230-8842
eblanchard@blg.com

**Enbridge Gas Inc.
EB-2021-0148**

APPLICANT & LIST OF INTERVENORS

November 29, 2021

**Canadian Manufacturers &
Exporters**

Scott Pollock

Borden Ladner Gervais LLP
100 Queen Street
Suite 1300
Ottawa ON K1P 1J9
Tel: 613-787-3541
Fax: 613-230-8842
spollock@blg.com

**Consumers Council of
Canada**

Julie Girvan

Consultant
Consumers Council of Canada
J. E. Girvan Enterprises
62 Hillside Ave. East
Toronto ON M4S 1T5
Tel: 416-322-7936
Fax: 416-322-9703
jgirvan@uniserve.com

**Energy Probe Research
Foundation**

Tom Ladanyi

TL Energy Regulatory Consultants Inc.
41 Divadale Drive
Toronto ON M4G 2N7
Tel: 416-423-3685
Fax: Not Provided
tom.ladanyi@rogers.com

Roger Higgin

SPA Inc.
15 Malabar Place
Toronto ON M3B 1A4
Tel: 416-391-0738
Fax: Not Provided
spainc@rogers.com

**Enbridge Gas Inc.
EB-2021-0148**

APPLICANT & LIST OF INTERVENORS

November 29, 2021

**Environmental Defence
Canada Inc.**

Jack Gibbons

Ontario Clean Air Alliance
160 John Street, Suite 300
Toronto ON M5V 2E5
Tel: 416-260-2080 Ext: 2
Fax: Not Provided
jack@cleanairalliance.org

Amanda Montgomery

Associate
Elson Advocacy
1062 College Street
Lower Suite
Toronto ON M6H 1A9
Tel: 416-906-7305
Fax: Not Provided
amanda@elsonadvocacy.ca

Kent Elson

Counsel
Elson Advocacy
1062 College Street
Lower Suite
Toronto ON M6H 1A9
Tel: 416-906-7305
Fax: 416-763-5435
kent@elsonadvocacy.ca

**Federation of Rental-housing
Providers of Ontario**

Dwayne Quinn

Principal
DR Quinn & Associates Ltd.
130 Muscovy Drive
Elmira ON N3B 3B7
Tel: 519-500-1022
Fax: Not Provided
drquinn@rogers.com

Enbridge Gas Inc.
EB-2021-0148

APPLICANT & LIST OF INTERVENORS

November 29, 2021

Industrial Gas Users Association

Ian Mondrow

Partner
Gowling WLG (Canada) LLP
Suite 1600, 1 First Canadian Place
100 King Street West
Toronto ON M5X 1G5
Tel: 416-369-4670
Fax: Not Provided
ian.mondrow@gowlingwlg.com

Shahrzad Rahbar

President
Industrial Gas Users Association
851 Industrial Avenue
PO Box 30
Ottawa ON K1G 4L3
Tel: 613-236-8021
Fax: Not Provided
srahbar@iqua.ca

London Property Management Association

Randy Aiken

Aiken & Associates
578 McNaughton Ave. West
Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: Not Provided
randy.aiken@sympatico.ca

Pollution Probe

Michael Brophy

Consultant for Pollution Probe
Michael Brophy Consulting Inc.
28 Macnaughton Road
Toronto ON M4G 3H4
Tel: 647-330-1217
Fax: Not Provided
michael.brophy@rogers.com

Enbridge Gas Inc.
EB-2021-0148

APPLICANT & LIST OF INTERVENORS

November 29, 2021

School Energy Coalition

Ted Doherty

Executive Director
Ontario Education Services Corporation
c/o Ontario Public School Boards Association
439 University Avenue, 18th Floor
Toronto ON M5G 1Y8
Tel: 416-340-2540 Ext: 106
Fax: 416-340-7571
SEC@oesc-cseo.org

Jay Shepherd

Counsel
Shepherd Rubenstein Professional Corporation
2200 Yonge Street, Suite 1302
Toronto ON M4S 2C6
Tel: 416-804-2767
Fax: 416-483-3305
jay@shepherdrubenstein.com

Fred Zheng

Associate Lawyer
Shepherd Rubenstein Professional Corporation
2200 Yonge Street, Suite 1302
Toronto ON M4S 2C6
Tel: 416-483-0114
Fax: Not Provided
fred@shepherdrubenstein.com

**Six Nations Natural Gas
Company Limited**

Tracy Skye

Six Nations Natural Gas Company Limited
1953 Fourth Line
P.O. Box 300
Ohsweken ON N0A 1M0
Tel: 519-445-4213
Fax: 519-445-4313
tracy@sixnatgas.com

**Enbridge Gas Inc.
EB-2021-0148**

APPLICANT & LIST OF INTERVENORS

November 29, 2021

**Six Nations Natural Gas
Company Limited**

Linda Wainwright

Wainwright Consulting Ltd.
1455 Eddie Shain Dr.
Oakville ON L6J 7C3
Tel: 905-467-6997
Fax: Not Provided
wainwright@sympatico.ca

**The Corporation of the City
of Kitchener - Utilities
Division**

Greg St. Louis

Director, Utilities
The Corporation of the City of Kitchener - Utilities
Division
131 Goodrich Dr.
Kitchener ON N2C 2E8
Tel: 519-741-2600 Ext: 4538
Fax: Not Provided
regulatory@kitchener.ca

Jaya Chatterjee

Regulatory Analyst
The Corporation of the City of Kitchener - Utilities
Division
131 Goodrich Drive
Kitchener ON N2C 2E8
Tel: 519-741-2600 Ext: 4629
Fax: Not Provided
jaya.chatterjee@kitchener.ca

Enbridge Gas Inc.
EB-2021-0148

APPLICANT & LIST OF INTERVENORS

November 29, 2021

**TransCanada Pipelines
Limited**

Namrita Sohi

Legal Counsel
TransCanada Pipelines Limited
450 - 1st Street SW
Calgary AB T2P 5H1
Tel: 403-920-7835
Fax: 403-920-2308
namrita_sohi@tcenergy.com

Kevin Musial

Regulatory Project Manager
TransCanada Pipelines Limited
450 – 1st Street SW
Calgary Alberta T2P 5H1
Tel: 403-920-7934
Fax: 403-920-2451
kevin_musial@tcenergy.com

**Vulnerable Energy
Consumers Coalition**

John Lawford

Counsel
Public Interest Advocacy Centre
One Nicholas Street
Suite 1204
Ottawa ON K1N 7B7
Tel: 613-562-4002 Ext: 125
Fax: Not Provided
jlawford@piac.ca

Mark Garner

Consultant - Project Manager
Consultant
647 Broadway Avenue
Toronto ON M4G 2S8
Tel: 647-408-4501
Fax: Not Provided
markgarner@rogers.com