



## THE BOARD OF DIRECTORS

PATRICIA ADAMS  
Chair and President  
ANN CAVOUKIAN  
Executive Director, PBDD, Ryerson University  
GLENN FOX  
Economist, University of Guelph  
ANDREW ROMAN  
Lawyer

MAX ALLEN  
Producer, CBC Radio  
DAVID CAYLEY  
Writer and Broadcaster  
GAIL REGAN  
President, Cara Holdings Inc.  
GEORGE TOMKO  
Expert-in-Residence in IPSI, University of Toronto

---

July 24, 2022

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, P.O. Box 2319  
Toronto ON  
M4P 1E4

Dear Ms. Marconi

**RE: EB-2022-0157 Enbridge Gas Inc. Panhandle Regional Expansion Project  
Energy Probe Intervenor and Cost Eligibility Request Letter**

Energy Probe Research Foundation (Energy Probe) hereby applies for intervenor status and cost eligibility in the EB-2022-0157 proceeding, the application by Enbridge Gas Inc. to the Ontario Energy Board for Leave to Construct approval of its proposed Panhandle Regional Expansion Project.

### **Statement of Interest**

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. It will be representing its many individual residential customer supporters. Energy Probe argues for equitable rates that optimize results for all ratepayers by eliminating cross subsidies between ratepayer classes and between generations of ratepayers. It promotes sustainable resource use through individual responsibility and accountability. More information about Energy Probe can be found on the OEB website.

<https://www.oeb.ca/industry/applications-oeb/intervenor-information/annual-filings-frequent-intervenors>

---

Energy Probe Research Foundation 565 Bloor Street West, Toronto, Ontario, M5S 1Y6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: EnergyProbe@nextcity.com Internet: www.EnergyProbe.org

If the proposed Panhandle Regional Expansion Project is approved and built, residential customer supporters of Energy Probe may be required to pay for it in gas distribution rates. Energy Probe, therefore, has a direct interest in the purpose, need and timing of this project, the selection of the preferred alternative, the construction cost estimate and project economics.

### **Energy Probe's Specific Concerns with the Panhandle Regional Expansion Project**

According to the evidence filed by Enbridge, the Panhandle Regional Expansion Project has a negative NPV of \$95 million and a PI of only 0.63 at Stage 1 of the E.B.O. 134 feasibility analysis. Energy Probe is concerned that the proposed project will require subsidies from existing Enbridge customers.

Enbridge Gas has indicated that it may apply for ICM funding from ratepayers including Energy Probe supporters for the project in its 2023 rates application. When an electricity distributor applies for ICM funding for a project, it presents the supporting evidence for the project in its rates application allowing intervenors to test the evidence. However, Enbridge only presents summary evidence for a project for which it is seeking ICM funding in its rate case. This severely limits the ability of intervenors to test the evidence unless they also intervene in the LTC proceeding, particularly if the OEB decision in the LTC proceeding precedes the rates proceeding. Energy Probe is concerned that the Panhandle Regional Expansion Project is not a single discrete project but a grouping of projects into a single project with the purpose of obtaining ICM approval. Energy Probe understands that the EB-2022-0157 proceeding will not deal with ICM issues, which the OEB will consider in the 2023 rates proceeding. However, a Leave to Construct approval in the EB-2022-0157 proceeding that would approve the purpose, the need, the timing, and the cost of the Panhandle Regional Expansion Project would make it difficult for Energy Probe to argue in the 2023 rates proceeding that the project does not meet ICM criteria.

Energy Probe is also concerned that Enbridge did not provide an appropriate analysis of alternatives to the proposed project.

For all these reasons Energy Probe requests that it be allowed to intervene in the EB-2022-0157 proceeding.

### **Hearing**

Energy Probe believes that a written hearing consisting of a single round of interrogatories followed by the submission of arguments would not result in an adequate evidentiary record for the OEB to reach a decision on the issues in this case. Considering the evidence filed by

**Energy Probe Research Foundation** 565 Bloor Street West, Toronto, Ontario, M5S 1Y6

Enbridge Gas Inc. and its importance, Energy Probe submits that an appropriate regulatory process should include the following steps: interrogatories, technical conference (virtual), responses to undertakings from the technical conference, submission of written arguments.

### **Costs**

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding and expects to participate responsibly in accordance with the Board's guidelines regarding cost awards.

### **Communications**

Communications relating to this Intervenor and Cost Eligibility Request Letter and all documents filed with the Board by the applicant and required by Energy Probe, should be directed to its consultant:

Tom Ladanyi  
TL Energy Regulatory Consultants Inc.  
41 Divadale Drive  
Toronto ON  
M4G 2N7  
Tel: 416 423-3685  
[tom.ladanyi@rogers.com](mailto:tom.ladanyi@rogers.com)

Respectfully submitted on behalf of Energy Probe.

Tom Ladanyi  
TL Energy Regulatory Consultants Inc.

cc. Patricia Adams (Energy Probe Research Foundation)  
Dave Janisse (Enbridge Gas Inc.)

**Energy Probe Research Foundation** 565 Bloor Street West, Toronto, Ontario, M5S 1Y6

---