

**Ontario Energy Board  
Form of Declaration and Undertaking**

**EB-2021-0002**

**IN THE MATTER OF AND APPLICATION BY ENBRIDGE GAS INC. FOR A MULTI-YEAR  
NATURAL GAS DEMAND SIDE MANAGEMENT PLAN (2022 to 2027)**

**DECLARATION AND UNDERTAKING**

I, James Birkelund, am counsel of record, a consultant or a representative for Small Business Utility Alliance.

**DECLARATION**

I declare that:

1. I have read the Rules of Practice and Procedure of the Ontario Energy Board (the "OEB"), the Practice Direction on Confidential Filings, and the OEB's Procedural Order No. 8 dated November 11, 2022.
2. I understand that this Declaration and Undertaking applies to the OEB's Decision and Order in EB-2021-0002, to be issued November 15, 2022 (the "Decision").
3. I understand that execution of this Declaration and Undertaking is a condition of being granted access to the Decision, and that as a condition of an order the OEB may apply to the Superior Court of Justice to enforce it.

**UNDERTAKING**

I undertake that:

1. I will not, without the prior written approval of the OEB, divulge any information contained in the Decision, including but not limited to the information that is the subject of the OEB's Partial Decision on Confidentiality and Procedural Order No. 7 issued on September 9, 2022 in this proceeding, except to:
  - a) another person granted access to the Decision by the OEB; or
  - b) a representative of my instructing client for the limited purpose of obtaining instructions, provided that the disclosure is limited to that necessary for the purpose of obtaining instructions and that the person to whom the information is disclosed has agreed to be bound by the terms of this Declaration and Undertaking.

2. I will not reproduce, in any manner, the whole or any portion of the Decision without the prior written approval of the OEB. For this purpose, reproducing the Decision includes scanning paper copies of the Decision, copying the Decision onto a diskette or other machine-readable media and saving the Decision onto a computer system.
3. I will protect the information in the Decision from unauthorized access.
4. I acknowledge that I am responsible for compliance with all applicable obligations under securities laws.
5. The Decision will no longer be confidential, and this Declaration and Undertaking will cease to apply, when the Decision is posted on the OEB's website on November 21, 2022.
6. I will inform the Registrar immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Portland, Oregon this 12 day of November, 2022.

Signature: 

Name: James Birkelund

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