

# MICHAEL R. BUONAGURO

Barrister and Solicitor

24 HUMBER TRAIL  
TORONTO, ONTARIO, M6S 4C1  
P: (416) 767-1666  
F: (416) 767-1666  
EMAIL: [mrb@mrb-law.com](mailto:mrb@mrb-law.com)

---

November 30, 2022

Ms. Nancy Marconi  
Registrar  
Ontario Energy Board  
P.O. Box 2319  
26<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, ON  
M4P 1E4

**DELIVERED BY EMAIL**

Dear Ms. Marconi,

**Re: Enbridge Gas Inc.  
Ontario Energy Board File No.: EB-2022-0200  
2024 Rebasing Application**

Further to the Ontario Energy Board (“OEB”) Notice to customers of Enbridge Gas Inc. (“EGI”) provided to us on November 15, 2022 and the Board’s *Practice Direction on Cost Awards*, we are writing on behalf of the Canadian Biogas Association (the “CBA”) to request intervenor status and cost award eligibility in relation to EGI’s 2024 Rebasing application.

## **Representation and Experts**

The CBA proposes to retain counsel to assist with its participation in the proceeding.

Assuming that it is granted intervenor status and cost eligibility, the CBA would ask that (electronic only) copies of the materials be provided to its counsel:

Michael Buonaguro  
24 Humber Trail  
Toronto, Ontario  
M6S 4C1

416-767-1666  
[mrb@mrb-law.com](mailto:mrb@mrb-law.com)

and to its representative:

Jennifer Green

Executive Director | Directrice générale

Canadian Biogas Association | Association canadienne de biogaz

Tel: (613) 822-1004

[jgreen@biogasassociation.ca](mailto:jgreen@biogasassociation.ca)

[www.biogasassociation.ca](http://www.biogasassociation.ca)

NOTE: Change of address to 275 Slater Street, Suite 1800, Ottawa, ON K1P 5H9

### **Practice Direction and other Funding**

The Board has previously provided the CBA intervenor status and found the CBA eligible for costs in similar proceedings, granting the CBA intervenor status and cost eligibility in:

- the Board consultation process with respect to Rate Design for Commercial and Industrial Customers (EB-2015-0043);
- the Board consultation process with respect to its Draft Report of the Ontario Energy Board: Framework for the Assessment of Distributor Gas Supply Plans (EB-2017-0129), including having invited a CBA to participate in the Working Group for the consultation;
- EGI's application for a Renewable Natural Gas Enabling Program (EB-2017-0319); and
- EGI's application for a Voluntary Renewable Natural Gas Program (EB-2020-0066)

In accordance with Section 3 of the Board's *Practice Direction on Cost Awards*, the CBA believes that it continues to be eligible for an award of costs in the context of the present proceeding as it represents an interest and policy perspective that is relevant to the Board's mandate generally and with respect to the scope of this proceeding specifically.

As the collective voice of Canada's biogas sector, the CBA is concerned with developing the biogas and renewable natural gas (RNG) industry to its fullest potential through capturing and processing organic materials to maximize the utility and value inherent within that material. Our members span the entire value chain of the sector and consist of farmers, municipalities, and private sector owners and operators of biogas systems, technology suppliers and consultants, financial and learning institutions, utilities, and waste industry and organic residual generators. CBA supports the activities and needs of its members by guiding policy and regulatory developments; building knowledge through exchange of information; raising awareness; and creating networks.

Within its 2024 Rebasing Application EGI has brought forward a proposal for a Low-Carbon Voluntary Program (LCVP) for large volume sales service customers. If the program is approved as filed EGI will procure up to one percent of its planned gas supply commodity portfolio as low-carbon energy in 2025 and increase these purchases by up to one percentage point per year to up to four percent by 2028; in this context low-carbon

energy primarily refers to RNG.<sup>1</sup> The details and implementation of this program, as filed or on a modified basis, are, obviously, of direct interest and impact to the CBA and its members, insofar as it proposes to materially increase EGI's participation in the procurement of RNG.

The CBA will consult with other organizations with similar purposes and seek to co-ordinate the various parties' input to the Board to the extent possible given the diversity of perspectives. In particular, the CBA notes that:

- a) its interest in this proceeding is relatively narrowly focussed on the proposed LCVP and related issues, and
- b) the CBA has agreed with the Ontario Greenhouse Vegetable Growers (OGVG) to retain Michael Buonaguro as counsel for both organizations (assuming both organizations are granted intervenor status) to participate in the proceeding more efficiently.

The CBA proposes to participate in all aspects of the application process.

The CBA does not currently have access to other funds allocated for this purpose to enable its participation in this initiative.

Based on the foregoing, and subject to any questions the Board may have about the CBA's proposed intervention, the CBA respectfully requests that the Board approve its request to participate in this proceeding.

Yours very truly,



Michael R. Buonaguro

---

<sup>1</sup> Exhibit 4 Tab 2 Schedule 7, page 1.