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February 17, 2023

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

DELIVERED BY EMAIL

Dear Ms. Marconi,

**Re: Enbridge Gas Inc.
Ontario Energy Board File No.: EB-2022-0094**

Further to the Ontario Energy Board (“OEB”) Notice to customers of Enbridge Gas Inc. (“EGI”) provided to us on February 7, 2023 and in accordance with the Board’s *Practice Direction on Cost Awards*, we are writing on behalf of the Canadian Biogas Association (the “CBA”) to request (late) intervenor status and cost award eligibility.

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

and to its representative:

Jennifer Green
Executive Director | Directrice générale
Canadian Biogas Association | Association canadienne de biogaz
Tel: (613) 822-1004
jgreen@biogasassociation.ca
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)
- EGI's Cost of Service application for 2024 rates (EB-2022-0200)

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 supports the development and growth of the biogas and renewable natural gas (RNG) industry in Canada. CBA 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.

Further to the OEB's notice, the CBA is a registered intervenor in EGI's 2024 Cost of Service Proceeding (EB-2022-0200) and is specifically interested in issues concerning the existing Rate M13, Rate 401 and the proposed Rate 80, as RNG producers seeking to access EGI's system would take service under those rates. Accordingly, we believe that the CBA meets the OEB's criteria for late intervenor status in the proceeding.

The CBA proposes to participate in all aspects of the hearing; although the intervention is late, the revised scope of the hearing and the procedural steps that have been outlined going forward leads the CBA to believe that its late intervention will have no negative impact on the proceeding.

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,

A handwritten signature in blue ink, appearing to read 'M. Buonaguro', is positioned above the printed name.

Michael R. Buonaguro