

March 21, 2023

**VIA RESS**

Ms. Nancy Marconi  
Registrar  
**ONTARIO ENERGY BOARD**  
P.O. Box 2319, 27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

**Ian A. Mondrow**  
Direct 416-369-4670  
ian.mondrow@gowlingwlg.com

Assistant: Cathy Galler  
Direct: 416-369-4570  
cathy.galler@gowlingwlg.com

Dear Ms. Marconi:

**Re: EB-2022-0200 – Enbridge Gas Inc. (EGI) Application for 2024 Cost of Service Rates.**

**Industrial Gas Users Association (IGUA) Declarations and Undertakings as to Confidentiality.**

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Enclosed please find signed Declarations and Undertakings as to confidentiality for the writer, Cathy Galler of our office, and two of IGUA's external experts; Dr. Sean Cleary and Mr. Russ Bell (who works with Dr. Cleary).

Pursuant to the OEB's *Practice Direction on Confidential Filings*, upon acceptance by the OEB of these undertakings, we ask that EGI forward to us unredacted copies of interrogatory responses 5.3-Staff-218 and 5.3-IGUA-61, including the attachments to these undertakings in respect of which EGI has sought confidential treatment. Each of these attachments provides data relevant to Dr. Cleary and Mr. Bell's work on evaluation of the application by EGI of the Fair Return Standard in deriving EGI's requested capital structure.

Yours truly,



Ian A. Mondrow

c: S. Rahbar (IGUA)  
V. Innis (EGI)  
D. Stevens (Aird & Berlis LLP)  
D. O'Leary (Aird & Berlis LLP)  
K. Viraney (OEB Staff)  
Intervenors of Record

**Ontario Energy Board**

**Form of Declaration and Undertaking**

EB-2022-0200

**Enbridge Gas Inc.**

Application to change its natural gas rates and other  
charges beginning January 2, 2024

**DECLARATION AND UNDERTAKING**

I, Ian Mondrow, am a partner of Gowling WLG (Canada) LLP, counsel of record for INDUSTRIAL GAS USERS ASSOCIATION.

**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 all Orders of the OEB that relate to this proceeding.
2. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the OEB as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
3. I understand that execution of this Declaration and Undertaking is a condition of an Order of the OEB, that the OEB may apply to the Superior Court of Justice to enforce it.

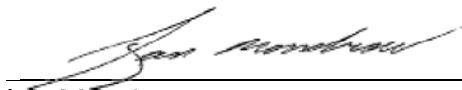
## UNDERTAKING

I undertake that:

1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the OEB.
3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the OEB. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.
4. I will protect Confidential Information from unauthorized access.
5. With respect to Confidential Information other than in electronic media, I will, within 10 days after the end of this proceeding or within 10 days after the end of my participation in this proceeding destroy such documents and materials and file with the Registrar a certification of destruction in the form prescribed by the OEB pertaining to the destroyed documents and materials.
6. With respect to Confidential Information in electronic media, I will:
  - (a) within 10 days after the end of this proceeding or within 10 days after the end of my participation in this proceeding, expunge all documents and materials containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information, from all electronic apparatus and data storage media under my direction or control and file with the Registrar a certificate of destruction in the form prescribed by the OEB pertaining to the expunged documents and materials; and
  - (b) continue to abide by the terms of this Declaration and Undertaking in relation to any such documents and materials to the extent that they subsist in any electronic apparatus and data storage media under my direction or control and cannot reasonably be expunged in a manner that ensures that they cannot be retrieved.

7. For the purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the OEB's final order in this proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.
8. I will inform the Registrar immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario this 16th day of March, 2023.



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Ian Mondrow

Gowling WLG (Canada) LLP  
Suite 1600, 1 First Canadian Place  
100 King Street West  
Toronto, Ontario  
M5X 1G5  
Telephone: 416-369-4670  
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**Ontario Energy Board**

**Form of Declaration and Undertaking**

EB-2022-0200

**Enbridge Gas Inc.**

Application to change its natural gas rates and other  
charges beginning January 2, 2024

**DECLARATION AND UNDERTAKING**

I, Cathy Galler, am an employee of Gowling WLG (Canada) LLP, counsel of record for INDUSTRIAL GAS USERS ASSOCIATION.

**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 all Orders of the OEB that relate to this proceeding.
2. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the OEB as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
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8. I will inform the Registrar immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Whitby, Ontario this 21st day of March, 2023.



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Cathy Galler

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Suite 1600, 1 First Canadian Place  
100 King Street West  
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**Ontario Energy Board**  
**Form of Declaration and Undertaking**

EB-2022-0200

**Enbridge Gas Inc.**

Application to change its natural gas rates and other  
charges beginning January 2, 2024

**DECLARATION AND UNDERTAKING**

I, Sean Cleary, am a consultant, for INDUSTRIAL GAS USERS ASSOCIATION.

**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 all Orders of the OEB that relate to this proceeding.
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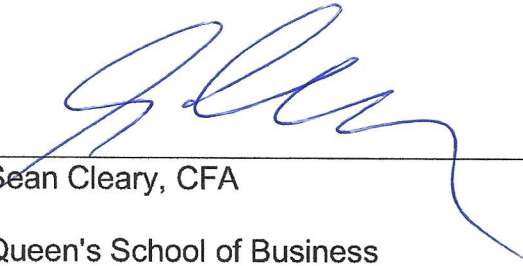
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8. I will inform the Registrar immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Oakville, Ontario this 16th day of March, 2023.



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Sean Cleary, CFA

Queen's School of Business  
Goodes Hall, Queen's University  
Kingston, Ontario  
K7L 3N6  
Telephone: 613-533-3384  
Fax: 613-533-2321  
E-Mail: [scleary@business.queensu.ca](mailto:scleary@business.queensu.ca)

**Ontario Energy Board**

**Form of Declaration and Undertaking**

EB-2022-0200

**Enbridge Gas Inc.**

Application to change its natural gas rates and other  
charges beginning January 2, 2024

**DECLARATION AND UNDERTAKING**

I, Russ Bell, am a consultant working with Dr. Sean Cleary, for INDUSTRIAL GAS  
USERS ASSOCIATION.

**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 all Orders of the OEB that relate to this proceeding.
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8. I will inform the Registrar immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Edmonton, Alberta this 16th day of March, 2023.

  
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Russ Bell

Russ Bell & Associates Inc.  
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Edmonton, Alberta  
T5R 3T7

Telephone: 780-974-2596

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