



Enbridge Gas Inc.

**Application to change its natural gas rates and other
charges beginning January 1, 2024**

PROCEDURAL ORDER NO. 5

April 13, 2023

Enbridge Gas Inc. filed an application with the Ontario Energy Board under section 36 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B), seeking approval for changes to the rates that Enbridge Gas charges for natural gas distribution, transportation and storage, beginning January 1, 2024. Enbridge Gas has also applied for approval of an incentive rate-making mechanism for the years 2025 to 2028.

This procedural order addresses Enbridge Gas's intention to file an update to a report on energy transition prepared by one of its consultants, which will result in some changes to the schedule for this proceeding. It also addresses a request by an intervenor, Environmental Defence, to file expert evidence on blue hydrogen.

Enbridge Gas Updated Evidence

On April 4, 2023, Enbridge Gas filed a letter indicating that it planned to provide updates and changes to the Guidehouse report titled *Pathways to Net Zero Emissions for Ontario* report.

Enbridge Gas noted that in the course of preparing the model input datasets outlined in its March 23, 2023 letter, Guidehouse identified certain corrections and determined that other enhancements or improvements to its Low Carbon Pathways Model inputs would need to be made, arising primarily from questions posed by intervenors at the technical conference.

Based on discussions with Guidehouse, Enbridge Gas indicated that Guidehouse would need time to prepare and provide updated evidence in the form of either an addendum or a fully updated report. Enbridge Gas proposed that the updated evidence would be filed with the Ontario Energy Board (OEB) by April 21, 2023. Enbridge Gas further proposed that any follow-up questions could be dealt with at a technical conference.

As a result of the updated evidence to be filed, the OEB has set out a revised procedural schedule below.

Technical Conference

A one-day transcribed technical conference will be held on April 27, 2023, to address questions in relation to the updated Guidehouse evidence. Responses to undertakings from the technical conference shall be filed by May 4, 2023.

OEB Staff and Intervenor Evidence

In Procedural Order No. 1, the OEB made provision for the filing of OEB staff and intervenor evidence and discovery of this evidence in this proceeding.

Energy Transition Evidence

To allow parties to consider the updated Guidehouse evidence, the OEB will extend the date for the filing of evidence directly related to energy transition from OEB staff and intervenors from April 14, 2023 to May 11, 2023. The deadline for interrogatories on OEB staff and intervenor evidence filed on May 11, 2023 will be extended from April 24, 2023 to May 17, 2023 and the deadline for responses to those interrogatories will be extended from May 5, 2023 to May 24, 2023.

Non-Energy Transition Evidence

The OEB will extend the date for the filing of evidence not directly related to energy transition from OEB staff and intervenors from April 14, 2023 to April 21, 2023. Interrogatories on this category of OEB staff and intervenor evidence will be extended from April 24, 2023 to April 28, 2023 and responses to those interrogatories will be extended from May 5, 2023 to May 15, 2023.

Settlement Conference

In Procedural Order No. 2, the OEB scheduled the settlement conference from May 11 to May 19, 2023. The settlement conference will now be scheduled from May 29 to June 7, 2023.

Environmental Defence Additional Evidence Request

On March 29, 2023, Environmental Defence filed a letter indicating that it planned to provide evidence on the greenhouse gas footprint of blue hydrogen. This evidence is in addition to the evidence that Environmental Defence had initially proposed to file in this proceeding. Environmental Defence noted that the additional evidence would be prepared by Professors Robert Howarth and Mark Jacobson.

Environmental Defence submitted that the evidence could assist the OEB and parties in assessing Enbridge Gas's proposals regarding hydrogen and in testing the Guidehouse *Pathways to Net Zero Emissions for Ontario* report. Furthermore, Environmental Defence noted that it was not seeking additional costs in relation to this evidence.

In a letter dated March 31, 2023, Enbridge Gas did not object to Environmental Defence's proposal to file additional evidence but requested that the OEB provide Enbridge Gas the opportunity to submit responding evidence.

Environmental Defence may file the additional evidence no later than May 11, 2023, the deadline for intervenors and OEB staff to file any evidence related to energy transition. The OEB confirms that Enbridge Gas will have an opportunity to submit responding evidence if necessary. Enbridge Gas shall advise the OEB by May 15, 2023 of its intention to file responding evidence and the proposed filing date.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

Updated Evidence

1. Enbridge Gas shall file its updated evidence as described in this procedural order, no later than **April 21, 2023**.

OEB Staff and Intervenor Evidence (Non-Energy Transition Evidence)

2. OEB staff and intervenor expert evidence not directly related to energy transition shall be filed with the OEB, and copied to Enbridge Gas and intervenors, by **April 21, 2023**.
3. If any party is seeking information and material with respect to the evidence filed by OEB staff and intervenors that is in addition to the evidence filed with the OEB, and that is relevant to this proceeding, that information shall be requested by written interrogatories filed with the OEB and copied to Enbridge Gas and intervenors by **April 28, 2023**.
4. OEB staff or intervenors that receive interrogatories on their evidence shall file with the OEB complete responses to the interrogatories and copy the responses to Enbridge Gas and intervenors by **May 15, 2023**.

Technical Conference (Updated Evidence)

5. A transcribed technical conference will be held on **April 27, 2023** starting at 9:30 a.m. OEB staff and intervenors shall file with the OEB time estimates by **April 25, 2023**. Further information on how to participate in this virtual event will be provided at a later date.
6. Responses to undertakings from the technical conference shall be filed with the OEB and sent to all parties by **May 4, 2023**.

OEB Staff and Intervenor Evidence (Energy Transition Evidence)

7. OEB staff and intervenor expert evidence directly related to energy transition shall be filed with the OEB, and copied to Enbridge Gas and intervenors, by **May 11, 2023**.
8. No later than **May 15, 2023**, Enbridge Gas shall advise the OEB of its intention to file evidence responding to Environmental Defence's evidence regarding hydrogen, and the proposed filing date.
9. If any party is seeking information and material with respect to the evidence filed by OEB staff and intervenors that is in addition to the evidence filed with the OEB, and that is relevant to this proceeding, that information shall be requested by written interrogatories filed with the OEB and copied to Enbridge Gas and intervenors by **May 17, 2023**.
10. OEB staff or intervenors that receive interrogatories on their evidence shall file with the OEB complete responses to the interrogatories and copy the responses to Enbridge Gas and intervenors by **May 24, 2023**.

Settlement Conference

11. A settlement conference will be convened on **May 29, 2023**, starting at 9:30 a.m. If necessary, the settlement conference will continue to **June 7, 2023**. Further information on how to participate will be communicated to parties closer to the date.
12. **No later than June 7, 2023**, OEB staff shall file a letter informing the OEB of the status of the settlement discussions including whether a tentative agreement has been reached or if the parties propose to continue the settlement discussions.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is

defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2022-0200** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Khalil Viraney at Khalil.Viraney@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca and Ian Richler at Ian.Richler@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, April 13, 2023

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar