

Elson Advocacy

April 26, 2023

Ms. Nancy Marconi

Registrar

Ontario Energy Board

2300 Yonge Street, 27th Floor

Toronto, Ontario

M4P 1E4

Dear Ms. Marconi:

**Re: Enbridge Gas Inc. 2024 to 2028 Rates Application
EB-2022-0200**

I am writing on behalf of Environmental Defence to request that the OEB clarify that the scope of tomorrow's technical conference includes follow-up on responses to questions asked to Guidehouse in the interrogatories, where the responses were provided only *after* the first technical conference (e.g. in undertaking responses). The above clarification would assist in resolving a difference of views between us and Enbridge that has arisen this afternoon. We believe questions of this nature are within the scope of the technical conference, and Enbridge does not.

We also believe it is fair and appropriate that we be able to ask them. If Enbridge had provided full answers to the original interrogatories, our follow-up questions could have been asked at the original technical conference, rather than us spend time at the original technical conference attempting merely to get full responses to our interrogatories. By declining to provide the information up front, and only providing a response *after* the technical conference, the Applicant has denied us an opportunity to ask follow-up questions, resulting in evidence on the record that has not been tested. Although we can ask follow-up questions at the hearing, many of those questions are exploratory and highly technical, and therefore would not be the best use of scarce hearing and panel time.

I apologise for making this request at the last minute and I understand that the OEB may not be able to provide a response before the technical conference is completed. However, I am making the request now as it could save time down the road by avoiding less efficient methods of obtaining the evidence in question, such as use of the hearing for detailed technical questions, and I believe the OEB may prefer to address the issue now, before the technical conference, rather than later.¹

¹ Although we would prefer to avoid a formal motion, note that our letter regarding motions day stated as follows: "With respect to the Guidehouse pathways report, the associated computer model, and the draft user guide, we propose to defer any potential motions until after the revised report has been released and after the brief technical conference on the report revision, with the aim of avoiding the need for further intervention by the OEB."

Lastly, from a practical perspective, I can confirm that I can ask all of the questions of the nature described above within the time allotted to Environmental Defence in the technical conference schedule, or less. I can also volunteer to go last to ensure that all other parties are able to get answers to their questions in the time we have available tomorrow. Therefore, clarity on the scope of the technical conference would likely save time in this proceeding, and certainly would not require an additional day for the technical conference.

Thank you for considering this matter and please let me know if any further information is required.

Yours truly,

A handwritten signature in blue ink, appearing to read 'K. Elson', with a stylized, cursive script.

Kent Elson

cc: Parties to the above proceeding