

June 21, 2023

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street
P.O. Box 2319
Toronto, Ontario
M4P 1E4

Dear Ms Marconi:

EB-2022-0200 – Enbridge Gas Inc. 2024-2028 Rates – Capital Update

We represent the Consumers Council of Canada (Council) in the above-referenced proceeding. We are writing to the OEB regarding Enbridge Gas Inc.'s (EGI) Capital Update filed on June 16. The Capital Update was filed as a new document as part of Exhibit 2. EGI did not make corrections to the rest of its pre-filed evidence or its interrogatory and undertaking responses.

On June 19, Counsel to Environmental Defense asked EGI when it would be filing updates to reflect the information in and underlying the capital update, including updates to the interrogatory responses and the undertaking responses. EGI's response was that it was not planning to provide further updates to the evidence and interrogatories and undertakings¹. EGI does not believe that there is sufficient time to complete all of the work required and provide it meaningfully in advance of the hearing start date.

The Council understands this work could be substantial, but in the absence of a full update intervenors would be at a significant disadvantage at the hearing. The current record with respect to EGI's 2023 and 2024 capital is now out of date. We are left with one 37 page document supporting EGI's capital requirements for 2023 and 2024. A critical piece of evidence now missing is the full list of capital projects for these two years.

The Council has undertaken a review preliminary review of its interrogatories and undertakings and identified many that are now out of date:

- 2.1-CCC-36
- 2.5-CCC-40
- 2.5-CCC-41
- 2.5-CCC-42 (b)
- 2.5-CCC-43 (b) (c)
- 2.6-CCC-47 (d-g)
- 2.6-CCC-48
- 2.6-CCC-49 (d)
- 2.6-CCC-50

¹ Email from David Stevens to Kent Elson, June 20,2023

- 2.6-CCC-52 (b)
- 2.6-CCC-53 (b)
- 2.6-CCC-57
- 2.6-CCC-67
- 2.6-CCC-68 (a)
- 2.6- CCC-71
- JT5.2
- JT5.9
- JT5.13
- JT5.30
- JT6.1

In addition, Appendix A of Exhibit 2/T6/S2 provides investment descriptions for all projects > \$10 million. Appendix A is also now out of date.

The Council submits that in the absence of a full update to the evidence including the answers to interrogatories and undertakings it will be impossible for the intervenors and the OEB to assess EGI's capital spending for both 2023 and 2024. The capital budget is a critical input to determining the revenue requirement and rates. The Council requests that the OEB direct EGI to file a complete update as soon as possible.

Yours truly,

Julie E. Girvan

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