



**Hearing on the Ontario Energy Board's own Motion regarding  
Enbridge Gas Inc.'s 2021 Vector Contracting Decision**

**NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1  
November 15, 2023**

The Ontario Energy Board (OEB) will hold a hearing on its own motion to determine the prudence of Enbridge Gas Inc.'s (Enbridge Gas) contracts with Vector Pipeline (Vector), pursuant to sections 19(4) and 36 of the *Ontario Energy Board Act, 1998*. Enbridge Gas contracted with Vector in 2021 for 40,000 Dth/d for a term of November 1, 2021 to October 31, 2026, equally split between the Enbridge Gas Distribution and Union South rate zones and extended an existing 80,000 Dth/d contract for the Union South rate zone, which was set to expire on October 31, 2022, to October 31, 2025. The OEB has assigned file number **EB-2023-0326** to this matter.

A hearing on this issue by a panel of Commissioners was recommended by OEB staff in its October 30, 2023 [report](#) on Enbridge Gas's 2023 Annual Update to its Gas Supply Plan (GSP). Both Enbridge Gas's evidence and OEB staff's report were prepared pursuant to the OEB's [Framework for the Assessment of Distributor Gas Supply Plans](#).

The OEB agrees with OEB staff's recommendation to limit the scope of this proceeding to the determination of prudence of Enbridge Gas's Vector contracting decision.

**Intervenors and Cost Awards**

This Notice of Hearing and Procedural Order No. 1 will be sent to Enbridge Gas and all other parties that participated in the EB-2023-0072 consultation, namely:

- Canadian Manufactures & Exporters (CME)
- Energy Probe
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- Pollution Probe
- School Energy Coalition (SEC)
- Six Nations Natural Gas Co. (SNNG)
- TransCanada PipeLines Limited (TCPL)
- Vulnerable Energy Consumers Coalition (VECC)

The above parties are approved as intervenors, and those intervenors that were determined to be eligible for costs in the EB-2023-0072 consultation are also eligible for cost awards in this proceeding.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Enbridge Gas will be liable for any approved intervenor costs.

### **Written Submissions**

The hearing will be held in writing unless a party satisfies the OEB that there is good reason for holding an oral hearing. Anyone who objects to a written hearing must submit a letter to the OEB by **November 22, 2023**, and provide reasons for holding an oral hearing instead. Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

For the purpose of this hearing, the OEB intends to rely on the record from the consultation on Enbridge Gas's 2023 Annual Update to its GSP (EB-2023-0072) and the consultation on Enbridge Gas's 2022 Annual Update to its GSP (EB-2022-0072). The OEB is of the view that no further discovery is necessary and it will proceed directly to arguments, in writing, on the prudence of Enbridge Gas's Vector Pipeline contracting decision.

The sole issue and scope of this proceeding is whether Enbridge Gas's 2021 Vector Pipeline contracting decision was prudent. In that context, and without limiting the scope of submissions, the OEB is particularly interested in the following questions:

- In addition to the OEB's Guiding Principles for the Assessment of Gas Supply Plans,<sup>1</sup> is the Incremental Transportation Contracting Analysis approved in EB-2005-0520<sup>2</sup> informative in the assessment of the prudence of Enbridge Gas's 2021 Vector contracting decision, and if so, how?
- If the 2021 Vector contracting decision is found to be imprudent, how should any cost consequences be determined and addressed?

A schedule for submissions is set out below.

---

<sup>1</sup> EB-2017-0129, Report of the Ontario Energy Board: Framework for the Assessment of Distributor Gas Supply Plans, October 25, 2018, pp. 7-8.

<sup>2</sup> EB-2005-0520, Decision with Reasons, Appendix B to the Settlement Proposal, June 29, 2006.

**THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. Enbridge Gas shall file an argument-in-chief and send it to all parties by **December 7, 2023**.
2. OEB staff and intervenors shall file any written arguments with the OEB and send them to all parties by **January 11, 2024**.
3. Enbridge Gas shall file its reply argument with the OEB and send it to all parties by **January 25, 2024**.

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-2023-0326** 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 [Filing Systems 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](mailto:registrar@oeb.ca) for assistance

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, Petar Prazic, at [Petar.Prazic@oeb.ca](mailto:Petar.Prazic@oeb.ca) and OEB Counsel, Ian Richler, at [Ian.Richler@oeb.ca](mailto:Ian.Richler@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

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

**DATED** at Toronto, November 15, 2023

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar