

**BY E-MAIL**

November 28, 2023

**To: All Rate-Regulated Natural Gas Distributors  
All Participants in EB-2022-0295**

**Re: Notice of Hearing for Cost Eligibility and Cost Awards  
Natural Gas Demand Side Management  
Stakeholder Advisory Group and Evaluation Advisory Committee  
Board File No.: EB-2022-0295**

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The OEB is initiating a hearing on its own motion in order to determine the cost eligibility and cost awards for eligible Natural Gas Demand Side Management Stakeholder Advisory Group (SAG) and Evaluation Advisory Committee (EAC) members and activities from April 1, 2023 to October 31, 2023.

## **Background**

The OEB's November 15, 2022 [Decision and Order](#) approved an updated DSM Policy Framework and a 3-year DSM plan for Enbridge Gas Inc. effective January 1, 2023 to December 31, 2025. The DSM Decision called for an enhanced stakeholder engagement process to inform the development of Enbridge Gas Inc.'s next DSM plan, including the DSM SAG and the EAC.

On December 8, 2022 the OEB issued [a letter](#) initiating the formation of the SAG and updating the EAC. This letter indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* (OEB Act) in relation to their participation in the SAG and EAC activities based on the criteria set out in the OEB's *Practice Direction on Cost Awards*, including analyst/consultant fees that are in accordance with the OEB's tariff. The OEB further indicated that OEB staff will provide guidance as necessary regarding the maximum number of hours and eligible activities that may be claimed. Finally, the OEB stated that costs awarded will be recovered from all rate-regulated natural gas distributors based on their respective distribution revenue.

The initial memberships of the SAG and EAC were announced in a [letter](#) issued March 1, 2023. Terms of Reference for the [SAG](#) and [EAC](#) were developed for both groups, which further indicated that maximum cost claims will be set based on meeting hours

(default maximum cost awards of 2.0 times meeting time to take into consideration preparation and follow-up time) and volume of documentation to review in preparation for or between meetings (meaning that maximum incremental cost awards will vary). Additionally, individual members of the SAG or EAC, or a subset of either group, may agree to take on additional tasks, and with approval from the OEB, will be eligible to claim cost awards for the time to complete those additional tasks.

### Notice of Hearing

The OEB is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the OEB Act in relation to eligible DSM SAG and EAC activities that occurred from April 1, 2023 to October 31, 2023. The maximum number of hours and eligible SAG activities are outlined in Appendix A of this Notice. The maximum number of hours and eligible EAC activities are outlined in Appendix B of this Notice.

The OEB intends to proceed by way of a written hearing unless a party can satisfy the OEB that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the OEB no later than **seven days** after the date of this Notice.

Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. SAG and EAC members filing cost claims shall submit their cost claims by **December 12, 2023**. A member filing cost claims should include a brief statement identifying the grounds on which the member believes that they are eligible for an award of costs (addressing the OEB's cost eligibility criteria as set out in section 3 of the OEB's *Practice Direction on Cost Awards*). The cost claim must be filed with the OEB and one copy is to be sent by email to each rate-regulated natural gas distributor. The cost claims must be completed in accordance with section 10 of the OEB's Practice Direction on Cost Awards.
2. Natural gas distributors will have until **January 8, 2024**, to object to a request for cost awards or any aspect of the costs claimed. The objection must be filed with the OEB and one copy must be sent by email to the person against whose claim the objection is being made.
3. The person whose cost claim was objected to will have until **January 15, 2024** to file with the OEB a reply submission as to why its cost claim should be allowed. One copy of the reply submission is to be sent by email to the objecting natural gas distributor.

4. The OEB will then issue its decision on cost eligibility and cost awards. The OEB's costs may also be addressed in the cost awards decision.

The OEB will use the process set out in section 12 of its *Practice Direction on Cost Awards* to implement the payment of the cost awards. The OEB will therefore act as a clearing house for all payments of cost awards in this process.

To address the OEB's costs, including expert DSM evaluation consultant costs, the OEB will proceed by way of progress billing and invoice the distributors on an ad hoc basis. This will ensure timely billing for all parties as the OEB's evaluation activities included within this consultation process can span multiple financial years.

### How to File Materials

Stakeholders are responsible for ensuring that any documents they file with the OEB **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-2022-0295** 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 on the [File documents online page](#) on the OEB's website.
- Stakeholders 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.
- Cost claims are now 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, Josh Wasylyk at [josh.wasylyk@oeb.ca](mailto:josh.wasylyk@oeb.ca) and OEB Counsel, Lawren Murray at [lawren.murray@oeb.ca](mailto:lawren.murray@oeb.ca).

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

Tel: 1-877-632-6273 (Toll free)

If you do not participate in the hearing by filing materials in accordance with this Notice, the OEB may proceed without your participation and you will not be entitled to further notice in this proceeding.

**DATED** at Toronto, November 28, 2023

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar

Attachments –  
Appendix A  
Appendix B

**Notice of Hearing for Cost Eligibility and Cost Awards Dated November 28, 2023****Natural Gas Demand Side Management  
Stakeholder Advisory Group and Evaluation Advisory Committee (EB-2022-0295)****Appendix A: Stakeholder Advisory Group Consultation Activities for Which Cost Claims may be Filed and Maximum Number of Hours**

No.	Date	Activity	Maximum Hours <sup>1</sup>
1	11-Apr-23	SAG Meeting #1	5.0
2	26-Apr-23	SAG Meeting #2	5.0
3	12-May-23	SAG Meeting #3	3.75
4	19-May-23	SAG Sub-Committee Meeting: Industrial Measure Characterization #1	1.5
5	19-May-23	SAG Sub-Committee Meeting: Residential Measure Characterization #1	2.25
6	23-May-23	Review and Comment: Residential Sub-Committee - Preliminary Measure List	1.0
7	24-May-23	SAG Meeting #4	4.125
8	26-May-23	SAG Sub-Committee Meeting: Commercial Measure Characterization #1	1.5
9	26-May-23	Review and Comment: Commercial Sub-Committee - Measure List and Definitions (First Round)	1.0
10	26-May-23	Review and Comment: Industrial Sub-Committee - Measure List and Definitions (First Round)	1.0
11	2-Jun-23	SAG Sub-Committee Meeting: Residential Measure Characterization #2	1.5
12	2-Jun-23	SAG Sub-Committee Meeting: Industrial Measure Characterization #2	1.5
13	7-Jun-23	Review and Comment: Residential Sub-Committee - Measure List and Definitions (First Round)	1.0
14	8-Jun-23	SAG Meeting #5	3.75
15	9-Jun-23	SAG Sub-Committee Meeting: Commercial Measure Characterization #2	1.5
16	13-Jun-23	Review and Comment: Commercial Sub-Committee - Measure List and Definitions (Second Round)	0.5
17	13-Jun-23	Review and Comment: Industrial Sub-Committee - Measure List and Definitions (Second Round)	0.5
18	16-Jun-23	SAG Sub-Committee Meeting: Residential Measure Characterization #3	1.5
19	16-Jun-23	SAG Sub-Committee Meeting: Industrial Measure Characterization #3	1.5

<sup>1</sup> Consistent with direction in the SAG Terms of Reference, maximum eligible hours for each meeting are based on meeting time, preparation, and follow-up time, consistent with the volume of materials circulated. In some cases, this allows for up to double the actual meeting time to account preparation and follow-up. In other cases, for example where a meeting would require little preparation, the allocated time would be lower. SAG Members who were unable to attend a meeting are eligible to claim up to 50% of the maximum eligible hours for a given meeting, to account for preparation, follow-up, and review of meeting materials.

No.	Date	Activity	Maximum Hours <sup>1</sup>
20	22-Jun-23	SAG Meeting #6	3.75
21	22-Jun-23	Review and Comment: Commercial Sub-Committee - Measure List and Definitions (Third Round)	0.5
22	23-Jun-23	SAG Sub-Committee Meeting: Commercial Measure Characterization #3	1.5
23	6-Jul-23	Review and Comment: Residential Sub-Committee - Measure List and Definitions (Second Round)	1.0
24	6-Jul-23	Review and Comment: Commercial Sub-Committee - Measure List and Definitions (Fourth Round)	0.5
25	7-Jul-23	Review and Comment: Industrial Sub-Committee - Measure Savings and Costs Batch #1 (First Round)	1.0
26	14-Jul-23	SAG Sub-Committee Meeting: Industrial Savings Example	0.5
27	19-Jul-23	Review and Comment: Industrial Sub-Committee - Measure Savings Example	0.5
28	24-Jul-23	Review and Comment: Residential Sub-Committee - Measure Savings and Costs Batch #1 (First Round)	1.0
29	26-Jul-23	SAG Meeting #7	3.0
30	1-Aug-23	Review and Comment: Residential Sub-Committee - Measure Savings and Costs Batch #2 (First Round)	1.0
31	2-Aug-23	Review and Comment: Commercial Sub-Committee - Measure List and Definitions (Fifth Round)	1.0
32	14-Aug-23	Review and Comment: Commercial Sub-Committee - Measure Savings and Costs Batch #1 (First Round)	1.0
33	15-Aug-23	Review and Comment: APS Incentive Approach	1.0
34	17-Aug-23	SAG Meeting #8	3.75
35	23-Aug-23	Review and Comment: APS Base Year Disaggregation & Reference Forecast	1.0
36	23-Aug-23	Review and Comment: Industrial Sub-Committee - Measure Savings and Costs Batch #1 (Second Round)	0.5
37	29-Aug-23	Review and Comment: Commercial Sub-Committee - Measure Savings and Costs Batch #1 (Second Round)	1.0
38	5-Sep-23	Review and Comment: Industrial Sub-Committee - Measure Savings and Costs Batch #2	1.0
39	9-Sep-23	Review and Comment: APS Avoided Costs	1.0
40	14-Sep-23	SAG Meeting #9	3.75
41	21-Sep-23	Review and Comment: Residential Sub-Committee - Measure Savings and Costs Batch #2 (Second Round)	1.5
42	28-Sep-23	SAG Meeting #10	3.75
43	12-Oct-23	SAG Meeting #11	1.5
44	18-Oct-23	Review and Comment: DSM Framework Considerations	1.5
45	23-Oct-23	Review and Comment: SAG Sub-Committee: Industrial: Savings, Applicability, Tech and Econ Potential	2.5
46	25-Oct-23	SAG Sub-Committee Meeting: Measure Characterization Applicability Tutorial	2.25
47	26-Oct-23	SAG Meeting #12	3.75
48	27-Oct-23	Review and Comment: DSM Framework Considerations	1.5

## Appendix B: Evaluation Advisory Committee Consultation Activities for Which Cost Claims may be Filed and Maximum Number of Hours

No.	Date	Activity	Maximum Hours <sup>2</sup>
1	10-Jul-23	EAC Meeting #1	1.5
2	12-Jun-23	Review and Comment - EGI Industrial Process Evaluation Report	1.5
3	20-Jun-23	Review and Comment - 2022 Annual Verification Work Plan	1
4	3-Aug-23	EAC Meeting #2	1.5
5	4-Aug-23	Review and Comment - FR Scope of Work #1	2
6	25-Aug-23	Review and Comment - 2023-2025 EMV Plan	2
7	13-Sep-23	EAC Meeting #3	2.25
8	22-Sep-23	EAC Meeting #4	3
9	27-Sep-23	Review and Comment - TRM Workplan	1
10	29-Sep-23	Review and Comment - CPSV Scope of Work	1.5
11	11-Oct-23	Review and Comment - Interview Guides, FR Scope of Work #2	2
12	13-Oct-23	Review and Comment - FR Sample Design, Advance Letter	1
13	24-Oct-23	EAC Meeting #5	2.25

<sup>2</sup> Consistent with direction in the EAC Terms of Reference, maximum eligible hours for each meeting are based on meeting time, preparation, and follow-up time, consistent with the volume of materials circulated. In some cases, this allows for up to double the actual meeting time to account preparation and follow-up. In other cases, for example where a meeting would require little preparation, the allocated time would be lower. EAC Members who were unable to attend a meeting are eligible to claim up to 50% of the maximum eligible hours for a given meeting, to account for preparation, follow-up, and review of meeting materials.