

January 22, 2024

VIA EMAIL and RESS

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, Ontario, M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas or the Company)
Ontario Energy Board (OEB) File No.: EB-2023-0201
Eganville Community Expansion Project (Eganville Project)
Reply Submission Regarding Need for Technical Conference**

Pursuant to the OEB's Procedural Order No. 1 dated November 22, 2023, this is Enbridge Gas's response to the correspondence of Environmental Defence (ED) and Pollution Probe (PP) wherein the intervenors requested a technical conference and oral hearing.¹ ED also requested that a single technical conference be held for all ongoing Enbridge Gas community expansion proceedings and PP requested that the OEB allow ED to commission and file the evidence it has proposed.²

Enbridge Gas is also in receipt of OEB staff's correspondence which stated that OEB staff does not require further discovery through a technical conference regarding Enbridge Gas's evidence and that if the OEB allows ED to file evidence some discovery would be required in respect of that evidence (potentially including a technical conference).

Enbridge Gas submits that a technical conference and/or oral hearing regarding the Company's evidence for the above-noted proceeding is not required since the record is complete and no party raised any substantive issues that would warrant further inquiry, clarification or examination through a technical conference or oral hearing. Additionally:

- Regarding ED's request that a single technical conference be held for all ongoing Enbridge Gas community expansion proceedings, the Company reiterates its position within its December 21, 2023 letter³ that the OEB should deny ED's request as a joint technical conference would result in limited

¹ Request for a "Technical Conference and/or Oral Hearing" was made by PP, whereas ED requested a technical conference.

² On December 14, 2023, ED filed a letter with the OEB proposing to file new survey evidence in the Bobcaygeon Community Expansion Project (EB-2022-0111), Sandford Community Expansion Project (EB-2022-0200), Eganville Community Expansion Project (EB-2023-0201), and Neustadt Community Expansion Project (EB-2023-0261) proceedings.

³ <https://www.rds.oeb.ca/CMWebDrawer/Record/827774/File/document>

probative value and unnecessary delays to the proceedings, given the unique timing and circumstances of each project.

- Regarding ED's request to file new evidence, Enbridge Gas reiterates its position within its December 21, 2023 and January 18, 2024 letters that the OEB should deny ED's request as the proposed evidence (i) is not likely to provide more accurate information regarding consumer and community interest in natural gas system expansion than the Government of Ontario's and Enbridge Gas's information, (ii) should not be funded by natural gas ratepayers, and (iii) would result in unnecessary and material delays to the proceedings.
- Regarding OEB staff's position that if the OEB allows ED to file evidence some discovery would be required (potentially including a technical conference), Enbridge Gas agrees that discovery would be required and reiterates its position within its December 21, 2023 letter that the Company requires the opportunity for discovery and to file responding evidence. Regarding a technical conference related to ED's evidence, Enbridge Gas submits that the OEB should make that determination upon review of ED's written interrogatory responses.

In support of its request for a technical conference for the above-noted proceeding, ED submits that it is warranted for the same reasons as in the Bobcaygeon Community Expansion Project (EB-2022-0111) ("Bobcaygeon Project") and Sandford Community Expansion Project (EB-2022-0200) ("Sandford Project") proceedings. Enbridge Gas provided detailed responses to ED's requests for technical conferences for those proceedings on September 26, 2023⁴ and November 22, 2023⁵. As set out in those responses, Enbridge Gas submits that ED has not provided a substantive basis to require technical conferences.

In addition to citing the Bobcaygeon Project and Sandford Project proceedings, in support of its request for a technical conference for the Eganville Project, ED refers to various interrogatory responses and potential areas of inquiry. However, a closer examination of each of these interrogatory responses shows that the interrogatories were responded to fully and completely:

- *Exhibit I. ED.41* – ED's letter raised the question whether the PI's of other community expansion projects are related to the Eganville Project. The question posed in Exhibit I.ED.41 requests an explanation for the current forecast shortfalls for other projects (i.e., the Fenelon Falls and Scugog Island Community Expansion projects).
 - In Enbridge Gas's response to the interrogatory, the Company provided the table and explanations requested by ED for the Fenelon Falls and Scugog Island projects. Enbridge Gas also cautioned against drawing conclusions regarding the Eganville Project using selective information from other projects and before completing the 10-year rate stabilization period (RSP) associated with each community expansion project. Each project is unique with various considerations that may not apply to other projects.

⁴ <https://www.rds.oeb.ca/CMWebDrawer/Record/815729/File/document>

⁵ <https://www.rds.oeb.ca/CMWebDrawer/Record/823691/File/document>

- Enbridge Gas will report on the actual capital costs, actual customer attachments, and final project PI through future rebasing applications, following the completion of the 10-year RSP and attachment forecast term(s) associated with each community expansion project, in accordance with the OEB's determinations in prior applications, including the Company's SES/TCS/HAF Application⁶.
- *Exhibit I.ED.46* – Regarding Exhibit I.ED.46, ED asserts that Enbridge Gas acknowledges that Company staff have been lobbying government for less OEB regulatory oversight for leave-to-construct (LTC) applications and questions the municipal approvals late to the Eganville Project.
 - ED has mischaracterized Enbridge Gas's outreach activities provided by its municipal advisors as "lobbying". Enbridge Gas's response to the interrogatory stated that the outreach was to create dialogue and ensure the voices of ratepayers and other stakeholders were considered in the Government's design and implementation of the Future of Home Heating and Natural Gas Expansion Program and efforts to modernize the LTC process for pipeline projects.

In support of its request for a technical conference and/or oral hearing and ED's request to file new evidence, PP relies on mischaracterizations regarding information related to the above-noted proceeding and other proceedings, specifically:

- PP suggests that, within the OEB's Phase 1 Decision in the EB-2022-0200 proceeding, the OEB reiterated PP's concerns regarding the lack of objective information being provided to prospective customers by Enbridge Gas within its attachment surveys. PP's statement is misleading. In fact, the OEB directed Enbridge Gas to "review the energy comparison information currently on its website and printed materials to determine whether it fully discloses what is being compared and on what basis, and what assumptions are being used for the comparison. Enbridge Gas shall either update the information to correct any deficiencies or remove the information."⁷
- PP suggests that "Enbridge recently indicated that it does not believe that is Enbridge's role to consider non-gas options". PP's statement is misleading again. In fact, Enbridge Gas stated that it should not be "directed to provide information on the annual operating cost of electric heat pumps relative to the operating cost of natural gas" and that "providing consumers with information related to conversions to any non-natural gas energy solution, in particular electric heat pumps, without consideration of those energy solutions' supply-side requirements would not be appropriate or valuable. That is a role best left to the providers of those non-natural gas energy solutions."⁸ Additionally, PP appears to ignore the OEB's Integrated Resource Planning Framework for Enbridge Gas, wherein the OEB concluded that IRP evaluation is not required for NGEP-funded projects⁹ and that it is not appropriate to provide funding to Enbridge Gas for electricity IRPAs¹⁰.

⁶ EB-2020-0094, Decision and Order, November 5, 2020, sections 3.2 and 3.3.

⁷ EB-2022-0200, Decision and Order, p. 47.

⁸ EB-2022-0156/0248/0249, Enbridge Gas Reply Submission, para. 31.

⁹ EB-2020-0091, Decision and Order (Appendix A), pp. 10-11.

¹⁰ EB-2020-0091, Decision and Order (Appendix A), p. 6.

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PP provides no meaningful support for a technical conference and/or oral hearing nor ED's request to file new evidence and as such PP's submission should be given no weight.

Based on the foregoing, Enbridge Gas submits that there is no basis for a technical conference and/or oral hearing and the most regulatory efficient next step is the filing of submissions.

Please contact me if you have any questions.

Yours truly,

Eric VanRuymbeke
Sr. Advisor – Leave to Construct Applications

c.c. Guri Pannu (Enbridge Gas Counsel)
EB-2023-0201 Intervenors