



May 8, 2024

VIA RESS

Ontario Energy Board
P.O. Box 2319,
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Registrar

Dear Ms. Marconi,

**Re: Enbridge Gas Inc. ("EGI")
2024 Rebasing and IRM – Phase 2
Board File No.: EB-2024-0111**

We are counsel to Minogi Corp. ("**Minogi**"). Please find attached Minogi's Notice of Intervention and request for cost eligibility in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Vollmer". The signature is fluid and cursive, with the first name "Daniel" and last name "Vollmer" clearly distinguishable.

DT Vollmer

c. Vanessa Innis, EGI
David Stevens, Aird & Berlis LLP
Dennis O'Leary, Aird & Berlis LLP
Dr. Don Richardson, Minogi

Encl.

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15 (Schedule. B);

AND IN THE MATTER OF an Application by Enbridge Gas
Inc, pursuant to section 36(1) of the *Ontario Energy Board
Act, 1998*, for an order or orders approving or fixing just and
reasonable rates and other charges for the sale, distribution,
transmission and storage of gas as of January 1, 2024.

EB-2024-0111

NOTICE OF INTERVENTION

MINOGI CORP.

May 6, 2024

A. Application for Intervenor Status and Reasons for Late Request

1. Minogi Corp. ("**Minogi**") hereby requests late intervenor status in Phase 2 and subsequent phases in the matter of the application of Enbridge Gas Inc. (the "**Applicant**" or "**EGL**") to the Ontario Energy Board (the "**OEB**" or the "**Board**") for approval for an order or orders approving or fixing just and reasonable rates for the sale, distribution, transmission, and storage of gas commencing January 1, 2024 (the "**Application**"). This notice of intervention is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure*.
2. Minogi is an Indigenous business corporation that represents the interest of MSIFN. The Mississaugas of MSIFN moved into southern Ontario and settled in the areas around Lake Scugog from their former homeland north of Lake Huron around 1700. MSIFN is located on Scugog Island in the Port Perry area and has over 140 members.
3. Over the past four months, Minogi has become much more engaged in matters and issues related to Ontario's energy sector and the potential impacts on the interests of Mississaugas of Scugog Island First Nation ("**MSIFN**") and its members, noting that several of these matters are directly at issue in Phase 2 of this proceeding. Minogi's late intervention request results from the fact that it has only recently become engaged with many of the issues that the Board will consider in Phase 2 and its recent decision to participate in the Indigenous Working Group, established in Phase 1 of this proceeding. In addition, Minogi is increasingly engaged with projects involving renewable natural gas ("**RNG**") such that it expects that the Phase 2 deliberations relating to RNG and the Energy Transition Technology Fund ("**ETTT**") and Low-Carbon Voluntary Program ("**LCVP**") more generally will be highly relevant to Minogi and future endeavours of MSIFN and its members
4. Minogi is conscious of the Board's current timelines and does not wish to delay the proceeding. In this regard, Minogi does not seek to have any aspect of the Phase 1 issues reconsidered or reopened and fully accepts the record in Phase 1 – including the Decision on the Settlement Agreement dated August 17, 2024, and the Decision and Order dated December 21, 2023.
5. Minogi further submits that granting intervenor status for Phase 2 and subsequent phases of the Application will not prejudice the Applicant or other intervenors nor will it disadvantage any of the parties, and, instead, will assist the Board and the Applicant to better understand the unique interests of otherwise unrepresented EGL customers and impacted First Nations.

B. Minogi and its Interest in the Proceeding

6. MSIFN's Aboriginal and Treaty rights, land use, cultural heritage, and other rights and interests are potentially affected by this Application. MSIFN has reserve lands and traditional territory, and associated rights and interests protected by the *Constitution Act, 1982*, that may be impacted by the outcomes of this proceeding.
7. Minogi intends to make submissions, *inter alia*, on the Applicant's evidence in respect of:

- the proposed Energy Transition Technology Fund (“**ETTT**”) [Phase 2, Exhibit 1, Tab 10, Schedule 7];
- opportunities for First Nations through the ETTT, especially as it related to renewable natural gas (“**RNG**”), hydrogen and the supply of low-cost fuels [Phase 2, Exhibit 1, Tab 10, Schedule 7, pp. 2-6];
- bill impacts of the ETTT on EGI’s vulnerable and price-sensitive customers, including First Nations and their members [Phase 2, Exhibit 1, Tab 10, Schedule 7, pp. 10-11];
- the proposed Low-Carbon Voluntary Program (“**LCVP**”) [Phase 2, Exhibit 4, Tab 2, Schedule 7];
- procurement of RNG as part of the LCVP and EGI’s gas supply commodity portfolio [Phase 2, Exhibit 4, Tab 2, Schedule 7, pp. 4-9];
- the appropriateness of the Applicant’s performance metrics and measurement targets and associated scorecard [Phase 2, Exhibit 1, Tab 7, Schedule 1];
- the proposed incentive rate-setting mechanism [Phase 2, Exhibit 10, Tab 1, Schedule 1]; and
- any other matters that promote or otherwise represent the interests of Minogi and MSIFN more generally pursuant to the Issues List.

C. Nature and Scope of Minogi’s Intended Participation

8. Minogi intends to be an active participant in this proceeding and will act responsibly to coordinate with other intervenors cost-effectively and efficiently, where common issues may arise and may be addressed. Minogi intends to participate to request information, participate in any requisite motions, test evidence through the stipulated processes, submit written interrogatories, and provide submissions. Subject to the development of the record in this matter, Minogi may also submit evidence.

D. Costs

9. Minogi hereby requests cost eligibility in this proceeding. Minogi is, in accordance with s. 3.03(b) of the Board’s *Practice Direction on Cost Awards*, eligible to seek an award of costs as Minogi is a party that primarily represents an interest or policy perspective that is relevant to the Board’s mandate and to the proceeding.
10. Minogi represents the interests of a unique and otherwise unrepresented set of First Nation energy customers and consumers in Ontario and is committed to ensuring that they are served through access to an affordable, reliable, sustainable, and modern natural gas service. Minogi requests an award of costs in this proceeding on the basis that its

comments and participation serve a direct interest and policy perspective that is relevant to the Board's mandate and pressing for Ontario's energy consumers.

11. Minogi therefore submits that it is appropriate for the Board to award Minogi costs in the context of this proceeding, and hereby requests cost eligibility.

E. Minogi's Representatives

12. Minogi hereby requests that further communications with respect to this proceeding be sent to the following:

Don Richardson

Minogi Corp.
Mississaugas of Scugog Island First Nation,
Administration Building,
22521 Island Road,
Port Perry, ON L9L 1B6

Email: drichardson@scugogfirstnation.com

AND TO ITS COUNSEL

Resilient LLP

119 Baby Point Road
Toronto, ON M6S 2G7

Attention: Lisa (Elisabeth) DeMarco
Telephone: 647-991-1190
Facsimile: 1-888-734-9459
Email: lisa@resilientllp.com

Attention: DT Vollmer
Tel: 647-993-6338
Fax: 1-888-734-9459
Email: daniel@resilientllp.com

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS day of May 7th, 2024

A handwritten signature in black ink, appearing to read "D. Vollmer", is written over a horizontal line.

DT Vollmer
Resilient LLP
Counsel for Minogi Corp.