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May 13, 2024

BY RESS

Ms. Nancy Marconi
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P1E4

Dear Ms. Marconi:

Re: EB-2024-0111 – Enbridge Gas Inc. (“Enbridge”) Rebasing Phase 2 - Issues List

We are counsel to the Association of Power Producers of Ontario (“APPrO”) in the above noted proceeding. On April 26, 2024, the Ontario Energy Board (“OEB”) issued Procedural Order No. 1 requesting submissions on whether the scope of Phase 2 of this proceeding should include questions related to Enbridge Sustain.

As a slight modification to the issue proposed by the Heating, Refrigeration and Air Conditioning Institute of Canada (“HRACI”), APPrO submits that the following issue be added to the issues list in relation to Enbridge Sustain:

Are the existing and planned activities and structure of Enbridge related to Enbridge Sustain appropriate, and are the terms and procedures under which it is and will be operated sufficient to protect ratepayers?

The matters raised by HRACI are, if true, concerning to APPrO and its members and warrants further discovery. APPrO asked several questions in Phase 1 about ratepayer funded programs and their potential use in the unregulated activities of Enbridge.¹ APPrO would like to better understand the ongoing relationship between Enbridge and Enbridge Sustain as affiliated companies within the context of the Enbridge’s application to ensure its constituent ratepayers are sufficiently protected.

Therefore, APPrO submits that the above issue be added to the issues list in relation to Enbridge Sustain.

¹ EB-2022-0200, IRs from APPrO, February 10, 2023, IRs #10 and #20 online:
<<https://www.rds.oeb.ca/CMWebDrawer/Record/777642/File/document>>

Yours truly,

BORDEN LADNER GERVAIS LLP

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

Colm Boyle

CB/JV