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VIA RESS AND EMAIL

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas, or the Company)
EB-2022-0200 - 2024 Rebasing and IRM – Phase 1
Enbridge Gas Submissions on Cost Claims**

Phase 1 of the Company's 2024 Rebasing and Incentive Rate Mechanism (IRM) Application (EB-2022-0200) was completed with a December 21, 2023, Decision and Order, and a May 1, 2024, Interim Rate Order. Through the Phase 1 process, the OEB directed that certain issues related to the Application be heard within Phase 2 and Phase 3 of the proceeding.

The following parties filed cost claims for Phase 1 of the proceeding: the Association of Power Producers of Ontario (APPRO); Building Owners and Managers Association (BOMA); Canadian Biogas Association (CBA); Consumers Council of Canada (CCC); Canadian Manufacturers & Exporters (CME); Energy Probe Research Foundation (Energy Probe); Environmental Defence (ED); Federation of Rental-housing Providers of Ontario (FRPO); Green Energy Coalition (GEC); Ginoogaming First Nation (GFN); Industrial Gas Users Association (IGUA); London Property Management Association (LPMA); Ontario Greenhouse Vegetable Growers (OGVG); Pollution Probe (PP); Quinte Manufacturers Association (QMA); School Energy Coalition (SEC); Three Fires Group Inc. (Three Fires) and Vulnerable Energy Consumers Coalition (VECC).

Overview

The total of the cost claims filed is approximately \$3.7 million as shown in Table 1. This total includes approximately \$0.5 million for expert evidence filed on energy transition, depreciation, and equity thickness. Enbridge Gas recognizes the complexity and volume of items filed in this proceeding, however, has concerns about the quantum of the intervenor costs claimed for what is the first of three phases. In Procedural Order No. 1 the OEB stated it would "be carefully monitoring intervenor participation for unnecessary duplication and overlap in the production of any evidence, the conduct of discovery and the filing of argument in this proceeding." Enbridge Gas awaits the OEB's consideration of how the intervenors complied with that direction. It is important that the OEB's review

also consider the value provided for the costs claimed, taking into account how certain intervenors took the lead on specific areas.

Table 1

Intervenor	Cost Claim (including expert evidence)	Cost Claim (excluding expert evidence)
APPrO	\$157,265	\$157,265
BOMA	\$139,020	\$109,494
CBA	\$4,848	\$4,848
CCC	\$195,586	\$195,586
CME	\$151,106	\$151,106
Energy Probe	\$164,479	\$164,479
ED	\$182,959	\$182,959
FRPO	\$305,032	\$274,082
GEC	\$274,261	\$178,396
GFN	\$70,403	\$70,403
IGUA	\$698,834	\$351,903
LPMA	\$162,845	\$162,845
OGVG	\$135,288	\$135,288
PP	\$176,568	\$176,568
QMA	\$32,714	\$32,714
SEC	\$486,391	\$486,391
Three Fires	\$146,951	\$146,951
VECC	\$165,498	\$165,498
Total	\$3,650,050	\$3,146,776

Submissions

There is a significant range in the total cost claims and the hours claimed by intervenors. Table 2 provides the total hours claimed by intervenor from highest to lowest, net of the hours spent by expert consultants. Attachment 1 provides a further breakdown by individual representative hours, from highest to lowest.

Table 2

Intervenor	Total Hours*
SEC	1399
IGUA	953
FRPO	735
CME	581
Environmental Defence	560
APPrO	529
CCC	525
GEC	485
VECC	483
Pollution Probe	474
Energy Probe	468
Three Fires	446
BOMA	438
LPMA	437
GFN	366
OGVG	363
QMA	145
CBA	13
Grand Total	9398

*Does not include expert consultant hours

Enbridge Gas asks that the OEB review the number of hours intervenors have claimed for each process step in comparison to the role they played in the process. As an example, while SEC's settlement conference preparation and attendance hours are the highest, this reflects the leadership role that Mark Rubenstein took in that process. On the other hand, there are parties with large numbers of hours where those parties participated in only part of the case and/or did not take a leading role in technical conference, hearing or argument on significant (or any) issues. Having overseen the public parts of the proceeding, the OEB will be well aware of the relative roles played by parties and their representatives.

For some process steps there are intervenors that claim hours well in excess of the average hours claimed such as evidence review, interrogatory preparation, settlement conference preparation and decision review. Again, this should be measured against the scope of the role played by each intervenor.

A particular concern from Enbridge Gas is the missed opportunities for parties to collaborate and combine their efforts. There is an unprecedented number of intervenors in this case (at least for Enbridge Gas). Many of the parties represent very similar constituencies. Many of the parties took very similar positions and approaches to the case. Enbridge Gas observed a lot of duplication and overlap in the interventions. That factor is an important item that the OEB should consider in its review. While this was not

the only example, it was clear to Enbridge Gas that there was substantial crossover and duplication in the interventions from three intervenors representing environmental concerns (ED, GEC and PP). This is seen, for example, in interrogatory questions and submissions of ED, GEC and PP. Other than in terms of retaining a joint expert, these parties did not rely on each other for their submissions, questions or work in their areas of interest. There are also examples of intervenors who had multiple representatives whose work appears to overlap, leading to potential duplication.

Enbridge Gas is mindful that Phase 2 of the rebasing is just beginning, and Phase 3 is still to come. Enbridge Gas submits that it is important to set expectations for the responsible intervention of parties in the rest of the case and this is appropriately done through a fair review of the more than \$3 million in cost claims in Phase 1.

Should you have any questions, please let us know.

Sincerely,

Vanessa Innis
Program Director, Strategic Regulatory Applications – Rebasing

Attachment 1

Intervenor	Total Hours
IGUA - Ian Mondrow	938
SEC - Mark Rubenstein	781
FRPO - Dwayne Quinn	735
CME - Scott Pollock	581
SEC - Jay Shepherd	571
Environmental Defence - Kent Elson	556
VECC - Mark Garner	483
Pollution Probe - Mike Brophy	474
GEC - David Poch	463
LPMA - Randy Aiken	437
CCC - Julie Girvan	429
Three Fires - Nicholas Daube	426
Energy Probe - Tom Ladanyi	401
OGVG - Michael Buonaguro	363
APPrO - Brady Yauch	330
GFN - Daniel Vollmer	308
BOMA - Ian Jarvis	269
APPrO - Colm Boyle	158
QMA - Michael McLeod	145
CCC - Shelly Grice	96
Energy Probe - Roger Higgin	67
BOMA - Giovanni Madalozzo	62
BOMA - Pavel Rusyaev	54
GFN - Kate Kempton	51
SEC - Jane Scott	47
BOMA - Natalie Millan	24
APPrO - Bunisha Samuels	24
CBA - Michael Buonaguro	13
Three Fires - Don Richardson	12
GEC - Chelsea Hotaling	12
GEC - David Gard	11
BOMA - Matthew Rutledge	10
BOMA - Simon Sahi	9
APPrO - John Vellone	8
Three Fires - Lisa DeMarco	7
IGUA - Cathy Galler	7
Environmental Defence - Amanda Montgomery	5
IGUA - Chris Hummel	5
APPrO - Travis Lusney	5

Attachment 1

BOMA - Clement Li	5
BOMA - Gillian Henderson	3
GFN - Galen Morris	3
BOMA - Carolyn Shier	3
IGUA - Sonia Knowlton	3
APPrO - Harry Case (interim)	3
APPrO - John Vellone (interim)	2
GFN - Jonathan McGillivray	2
GFN - Lisa DeMarco	1
Three Fires - Daniel Vollmer	1
BOMA - Albert Engel	1
Grand Total	9,398