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VIA EMAIL and RESS

June 10, 2024

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-2022-0295
Demand Side Management (DSM) Stakeholder Advisory Group (SAG)
Response to Jay Shepherd's Resignation Letter**

Enbridge Gas is in receipt of Mr. Shepherd's DSM SAG resignation letter dated March 28, 2024. Enbridge Gas feels compelled to respond in light of several inaccurate statements made by Mr. Shepherd within the letter.

Contrary to statements made within the letter,¹ Enbridge Gas has engaged productively and in good faith with the DSM SAG since its inception. Enbridge Gas has included, and will continue to include, input received from the DSM SAG into the makeup of the Company's next DSM plan, wherever it is appropriate.

Within the letter, Mr. Shepherd incorrectly conflates examples of Enbridge Gas seeking consensus (in an effort to meet the OEB's objective for the DSM SAG) with lack of collaboration.² Regarding consensus the OEB stated:

The objective would be that consensus is reached on most, if not all, issues within the SAG before an Application is filed with the OEB thereby improving regulatory efficiency. However, Enbridge will ultimately decide what programs to put forward as part of its DSM plan.³ [Emphasis added]

Additionally, Mr. Shepherd incorrectly states that Enbridge Gas is unilaterally determining the subjects that are being discussed at the DSM SAG.⁴ Contrary to this assertion, Enbridge Gas does not chair the DSM SAG and does not set agendas for

¹ EB-2022-0295, Mr. Shepherd Correspondence (March 28, 2024), pp. 2-3 ([link](#)).

² EB-2022-0295, Mr. Shepherd Correspondence (March 28, 2024), p. 2 ([link](#)).

³ EB-2022-0295, OEB Correspondence (December 8, 2022), pp. 1-2 ([link](#)).

⁴ EB-2022-0295, Mr. Shepherd Correspondence (March 28, 2024), p. 4 ([link](#)).

DSM SAG meetings.⁵ Regarding Mr. Shepherd's criticism of the Achievable Potential Study (APS),⁶ Enbridge Gas similarly notes that the development of the APS is not led by the Company.⁷

With respect to Mr. Shepherd's concerns regarding his potential conflict of interest as a member of the DSM SAG and as a representative of specific interests,⁸ it is unclear why these concerns are being raised only now, more than a year following the inception of the DSM SAG. Enbridge Gas believes that the OEB was clear with respect to DSM SAG member participation in this regard when it issued its call for DSM SAG member nominations in December 2022:

*Due to the technical nature of the evaluation work, with the goal to produce accurate and unbiased final results, there is not a similar need to ensure broad representation. More generally, members of both the DSM SAG and EAC **will be expected to provide input and advice based on their experience and technical expertise, and not to advocate specific commercial interests.***⁹ [Emphasis added]

If you have any questions, please contact the undersigned.

Sincerely,

Haris Ginis
Technical Manager, Regulatory Applications

c.c. Dennis O'Leary (Aird & Berlis LLP, Enbridge Gas Counsel)
Josh Wasylyk (OEB Staff)
Jay Shepherd (Shepherd Rubenstein Professional Corporation)
Brian McKay (SEC)
DSM SAG Members
Interested Parties

⁵ EB-2022-0295, OEB Correspondence (December 8, 2022), p. 3 ([link](#)): "The DSM SAG, and EAC subcommittee, will be chaired by OEB staff."

⁶ EB-2022-0295, Mr. Shepherd Correspondence (March 28, 2024), p. 2 ([link](#)).

⁷ EB-2021-0002, OEB Decision and Order (November 15, 2022), Schedule D, p. i ([link](#)): "OEB staff will lead a new natural gas conservation potential study to help inform the next DSM Plan, with input provided by the Stakeholder Advisory Group."

⁸ EB-2022-0295, Mr. Shepherd Correspondence (March 28, 2024), pp. 3-4 ([link](#)).

⁹ EB-2022-0295, OEB Correspondence (December 8, 2022), p. 4 ([link](#)).