



August 9, 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")
Review of Enbridge Gas Inc.'s 2023 Utility Earnings and Disposition of Deferral
and Variance Account Balances
Board File Number: EB-2024-0125**

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

Sincerely,

DT Vollmer

c. Richard Wathy, EGI
David Stevens, Aird & Berlis LLP, Counsel for EGI
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. for an order or orders clearing certain commodity and
non-commodity related deferral or variance accounts.

EB-2024-0125

NOTICE OF INTERVENTION

MINOGI CORP.

August 9, 2024

A. Application for Intervenor Status and Reasons for Late Request

1. Minogi Corp. ("**Minogi**") hereby requests late intervenor status in the matter of the application of Enbridge Gas Inc. (the "**Applicant**" or "**EGI**") to the Ontario Energy Board (the "**OEB**" or the "**Board**") for approval for an order or orders approving the clearance or disposition of amounts recorded in certain deferral or variance accounts. (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 Mississaugas of Scugog Island First Nation ("**MSIFN**") and its members. 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. Minogi is actively engaged in matters and issues related to Ontario's energy sector and the potential impacts on the interests of MSIFN, including as a participant in the Indigenous Working Group ("**IWG**") established in Phase 1 of EGI's 2024 rebasing application (EB-2022-0200).
4. Recent IWG meetings and related discussions have included the subject of unaccounted-for gas ("**UFG**") as an area of focus. Those meetings and discussions have recently alerted Minogi to the fact that the issues relating to UFG that Minogi seeks to address will likely be addressed in the context of the current Application. The current Application is potentially a more appropriate forum to address these questions, since it offers a more structured and publicly accessible process, and it reduces the risk of overlapping and potentially duplicative processes within the OEB's broader purview, as well as the risk of inconsistent positions or information across different venues.
5. Minogi therefore seeks to intervene in this proceeding, primarily with the intention of seeking information and making submissions in relation to issues relating to EGI's UFG volumes and reporting.
6. If Minogi is granted intervenor status, it may also seek information and make submissions in relation to other matters within the current Application, the particulars of which are set out below in paragraph 8.
7. Minogi is conscious of the Board's current timelines, does not wish to delay the proceeding, and believes its intervention would not produce any delay. Minogi fully accepts the current record this proceeding and submits that granting intervenor status for the Application will not prejudice or otherwise disadvantage the Applicant or other intervenors. Minogi believes that its participation in this Application will assist the Board and the Applicant to better understand the unique interests of otherwise unrepresented EGI customers and impacted First Nations, especially in relation to issues relating to UFG.

B. Minogi and its Interest in the Proceeding

8. Minogi intends to make submissions, *inter alia*, on the Applicant's evidence in respect of:
- EGI's evidence related to UFG volumes, including costs passed on to ratepayers;
 - EGI's reporting of UFG volumes, including contributing sources of UFG and EGI's actions to investigate and mitigate same;
 - the OEB scorecard;
 - the IWG Report; and
 - any other matters that promote or otherwise represent the interests of Minogi and MSIFN more generally.
9. Minogi is an active and Board-approved intervenor representing the interests of MSIFN in Phase 2 of EGI's rebasing application (EB-2024-0111), EGI's 2024 Annual Gas Supply Plan Update proceeding (EB-2024-0067), the Board's generic proceeding on the cost of capital and other matters (EB-2024-0063) and the OEB's Transmission Connection Review (EB-2024-0126).

C. Nature and Scope of Minogi's Intended Participation

10. 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

11. 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.
12. 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. The Board has

granted Minogi cost eligibility in several Board proceedings, including each and all of those referred to above in paragraph 9.

13. 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

14. 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: Don.Richardson@minogi.com

AND TO ITS COUNSEL

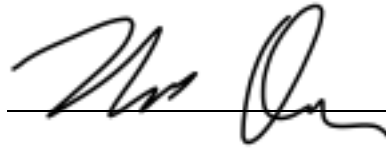
Resilient LLP

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: Nicholas Daube
Tel: 416-768-8341
Fax: 1-888-734-9459
Email: nicholas@resilientllp.com

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS day of August 9th, 2024

A handwritten signature in black ink, appearing to read 'Nick Daube', is written over a horizontal line.

Nicholas Daube
Resilient LLP
Counsel for Minogi Corp.