

Elson Advocacy

December 13, 2024

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

Dear Ms. Marconi:

**Re: Enbridge Gas Inc. 2024 to 2028 Rates Application
EB-2024-0111**

I am writing on behalf of the Green Energy Coalition and Environmental Defence to respond to recent correspondence from Energy Probe.

Energy Probe states that it requires triple the time set out in *Procedural Order #9* for its cross-examinations of panels 2 and 5. Energy Probe justifies this by stating that Environmental Defence placed “a large amount of new evidence on the record on December 11th.” Although it is not clear if this correspondence was intended as a request to the OEB or whether it has been communicated to the OEB, we write to provide additional details regarding the materials filed on December 11th and to confirm that we did not file a “large amount of new evidence” on December 11th as asserted by Energy Probe.

The materials filed by the Green Energy Coalition and Environmental Defence are not new evidence. They are described below:

1. We filed a presentation summarizing Mr. Neme’s Phase 1 evidence. Again, this is a summary of pre-existing evidence, not new evidence. This pre-existing evidence has already been subject to interrogatories and cross-examination.
2. We filed a report by the Canadian Climate Institute that used a cost-optimization model and sensitivity analysis to determine the most cost-effective method of decarbonizing buildings in Ontario and Canada. This report is referred to in the Phase 2 evidence of both the Energy Futures Group (“EFG”) and the Current Energy Group (“CEG”). This report is also the continuation of work by the Canadian Climate Institute discussed in EFG’s Phase 1 evidence.
3. We filed a decision of the Massachusetts DPU in its future of gas proceedings. This decision was filed in Phase 1.
4. We filed a document released by Ontario’s Ministry of Energy and Electrification entitled *Ontario’s Affordable Energy Future – The Pressing Case for More Power*. This

document has been referred to in the Phase 2 evidence and relied on by Enbridge in its Phase 2 filings.

5. We filed the report of Ontario's Electrification and Energy Transition Panel, which has already been extensively referred to in the Phase 2 evidence, including in Enbridge filings and in interrogatories from Board Staff and multiple parties.
6. We filed a short document from the City of Montreal with details regarding its ban on combustion heating in new construction. Although this document is new, it is simply an additional example of a long list of jurisdictions that have prohibited gas heating in new construction across North America that is already on the record.

Document 1 was filed pursuant to *Procedural Order #9* and summarizes evidence that has already been subject to extensive discovery. Documents 2 through 6 were filed as required by Rule 14.01 and 14.02, which states as follows:

14.01 A party who intends to rely on or refer to any document that has not already been filed in a proceeding shall file and serve the document 24 hours before using it in the proceeding, unless the OEB directs otherwise.

14.02 Any party who fails to comply with Rule 14.01 shall not put the document in evidence or use it in the cross-examination of a witness, unless the OEB otherwise directs.

Although some of the documents are lengthy, we only anticipate referring to brief portions in cross-examination. We are merely providing a copy so that the documents can be appropriately referred-to at the hearing.

With respect to the specific request for more cross-examination time, the Green Energy Coalition and Environmental Defence do not oppose other parties being able to cross-examine CEG or EFG, nor would we seek to restrict the time available to do so. However, we are concerned about and would oppose any change to the schedule that would reduce the time allotted to our cross-examinations, which are already much lower than the time we sought. If the OEB is considering a change to the schedule, we ask that the above details be taken into consideration.

Yours truly,



Kent Elson

cc: Parties to the above proceeding