

January 28, 2025

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Low Income Energy Network's Response to Enbridge Gas Inc.'s Letter of  
January 21, 2025 re Intervention in OEB File No. EB-2024-0198 - 2026-2030  
Demand Side Management ("DSM") Plan**

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Willms & Shier Environmental Lawyers LLP is counsel for the Low-Income Energy Network ("LIEN").

### **LIEN'S INTERVENTION REQUEST AND EGI'S RESPONSE**

On January 15, 2025, LIEN requested eligibility to intervene in Enbridge Gas Inc.'s ("EGI") application for approval of a new natural gas DSM plan, effective January 1, 2026, and the conservation programs that would be offered to customers under the plan in the years 2026-2030. LIEN also sought eligibility for a cost award.

On January 21, 2025, counsel for EGI sent a letter to the Ontario Energy Board ("OEB") in response to the intervention requests filed in the above referenced matter. In the letter, EGI requests that the OEB require parties with very similar interests to combine their interventions to reduce hearing time and cost claims. In particular, EGI requests that the OEB require LIEN and the Vulnerable Energy Consumers Coalition ("VECC") to combine their interventions, because they both seek to represent low-income and vulnerable ratepayers.

### **LIEN AND VECC HAVE VERY DIFFERENT OBJECTIVES AND MEMBERS**

#### **LIEN'S OBJECTIVES AND MEMBERSHIP**

LIEN's main objectives are to ensure that low-income energy consumers in Ontario have access to adequate, affordable energy as a basic need while simultaneously minimizing the environmental impacts of energy generation and distribution. LIEN advocates for programs and policies that address energy poverty and homelessness, and those that promote energy efficiency and energy conservation.

As a joint program of the Advocacy Centre for Tenants Ontario ("ACTO") and the Canadian Environmental Law Association ("CELA"), LIEN occupies a unique intersection of anti-poverty

and public interest environmental advocacy and represents over 75 member groups across Ontario. As a network representing the intersection of interests related to low-income consumers and energy and sustainability, LIEN's focus is on reducing the energy bills of all low-income consumers and providing low-income consumers the opportunity to better manage their energy bills.

In so doing, LIEN addresses customer care matters, commodity prices and rates, and DSM/CDM matters. LIEN helps to ensure that low-income consumers across Ontario (i) have access to conservation, energy efficiency, and demand-side management programs, technologies and services as well as related education and support, and (ii) realize the environmental, energy and economic benefits associated with the more efficient use of energy.

LIEN, along with other groups, has been actively campaigning for cities to enact maximum temperature bylaws, highlighting the need for action against increasing threat of extreme heat events.

LIEN's membership is province-wide and includes diverse representation from community legal clinics, social service agencies, affordable housing, and environmental groups. LIEN's strengths lie in its ability to bring together unique perspectives from different regions across the province, particularly Northern Ontario, where the energy burden is especially high. This ensures the implementation of effective programs and policies to protect the most vulnerable communities.

## **VECC'S OBJECTIVES AND MEMBERSHIP**

VECC's main objective is to represent the interests of residential consumers in matters of energy regulation and policy, with a particular emphasis on advocacy on behalf of senior citizens and residential tenants in Toronto, regardless of income levels. This group of residential consumers are consumers that VECC views as vulnerable. VECC's positions reflect a balancing of vulnerable consumer interests across all income levels.

VECC is an unincorporated coalition of two Ontario organizations, the Ontario Society of Senior Citizens' Organizations ("OSSCO") and the Federation of Metro Tenants' Associations ("FMTA"). To assist VECC's work, the Public Interest Advocacy Centre ("PIAC") provides VECC with representation, research and administrative responsibilities related to OEB filings. PIAC is not a member organization of VECC.

OSSCO's mission is to improve the quality of life for Ontario's seniors. FMTA's mission is to promote decent and affordable housing for residential tenants in the City of Toronto. OSSCO and FMTA are mainly concerned with the impact of public services and utilities on their constituents who may be but not always low-income and fixed-income consumers including both tenants and homeowners.

VECC does not generally engage in issues with respect to environmental advocacy. VECC's focus is on the rate cost efficacy of ratepayer supported energy conservation programs and the appropriate sharing of these costs among rate classes. While VECC and LIEN share an interest in the protection of low-income consumers, VECC's constituents include other vulnerable customers groups such as seniors. Unlike VECC, LIEN's exclusive focus is on low-income energy consumers and LIEN's positions reflect the protection of those consumer interests only.

### **LEGAL REPRESENTATION FOR LIEN AND VECC**

EGI, in its January 21, 2025 letter, takes the position that the combination of LIEN and VECC interventions would benefit VECC, who is without legal counsel, because VECC can rely on LIEN's legal counsel to ensure there is no overlap with respect to cross examinations, interrogatories and legal arguments. This assertion ignores a potential conflict of interest where the interests of two parties (i.e., LIEN and VECC) diverge from one another in significant ways. The divergence typically occurs due to the significant differing mandates of the two organizations, which is why both LIEN and VECC coordinate, but do not do joint interventions.

### **CO-ORDINATION WITH VECC**

As stated in LIEN's intervention request to the OEB dated January 15, 2025, LIEN intends to make reasonable efforts to co-ordinate its intervention with VECC to the extent that LIEN's interests align with those of VECC. However, given that there are also significant differences between the mandates and objectives of the two intervenors, LIEN respectfully objects to EGI's proposal that the OEB require LIEN and VECC to combine their interventions in this proceeding, because this will result in a potential conflict of interest.

Yours truly,

A handwritten signature in blue ink, appearing to read "Matt F. Gardner".

Matt Gardner

Partner

*Certified as a Specialist in Environmental Law  
by the Law Society of Ontario*

cc: LIEN Legal Subcommittee  
Judy Simon, Director at Guidehouse