

June 27, 2025

VIA EMAIL:

Ritchie Murray, Acting Registrar
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, Ontario M4P 1E4

Dear Ritchie Murray :

**Re: Enbridge Gas Inc.
Proposed Rollover of Existing 2023-2025 DSM Plan for 2026
EB-2024-0198**

We are counsel to Enbridge Gas Inc. ("**Enbridge Gas**" or the "**Company**"). We are writing in response to the letter to the OEB dated June 19, 2025 from Mr. Kent Elson, counsel to Environmental Defence Canada and the Green Energy Coalition (referred to together as the "**Environmental Parties**").

Stated simply, the Environmental Parties are requesting an opportunity to make submissions in support of their proposal that the next multi-year DSM Plan should begin earlier than January 1, 2027, perhaps mid-way through 2026. The Environmental Parties appear to want to do this before the multi-year plan for the years 2027+ is filed by the Company later this year. Leaving aside questions about the OEB's jurisdiction to direct a rate regulated entity to file a partial year rates application, Enbridge Gas believes it is important to address the numerous unavoidable administrative and practical difficulties that will arise in the event that the OEB accedes to the request of the Environmental Parties.

For the reasons stated below, Enbridge Gas opposes the request by the Environmental Parties and submits that the pending procedural order that will be issued by the OEB in response to the June 20 2025 filing of the 2026 DSM Plan rollover application (the "2026 Application")¹ should require parties to move on to the written submission stage as proposed in the Company's covering letter².

The difficulties and complexities that necessarily result from a multi-year DSM filing that includes a partial initial year are material. The Company considered all options in respect of how to proceed in 2026 and determined for the reasons stated below that the least disruptive approach and the one which would allow for a comprehensive review of the 2027+ multi-year filing on a timely basis is for a rollover of the current plan for all of 2026.

¹ EB-2024-0198, Enbridge Gas's 2026 DSM Plan Application, June 20, 2025 (the "**2026 Application**").

² 2026 Application Covering letter dated June 20, 2025, pages 2-3.

First, as noted in the 2026 Application, Enbridge Gas requires a final OEB decision in respect of the 2026 Application before filing its 2027+ DSM Plan application. This is to avoid the potential need to amend and refile the 2027+ DSM Plan application to reflect the OEB's decision in respect of the 2026 Application. As can be seen from Table 1 of the pre-filed evidence which sets out proposed procedural timelines³, there is inadequate time available following the OEB's final decision on the 2026 Application for the OEB to undertake and complete a comprehensive review of the multi-year plan for 2027 and beyond that would allow a start date for the new DSM plan any earlier than January 1, 2027. It is the Company's expectation that the 2027+ multi-year application proceeding will involve all of the steps identified in Table 1 and that, in comparison to the previous multi-year DSM plan application,⁴ the proposed timelines are already aggressive.

Second, there is no precedent for a partial year DSM plan being approved by the OEB for good reason. Approving a rollover for a number of months and approving a new plan for the balance of 2026 necessarily requires the OEB to consider and approve a budget, targets and scorecards for a period of only months. For obvious reasons, the generation of such key parameters is not a matter of simply taking the annual figures proposed in a filing for 2027 and prorating them over the months of the 2026 stub period. New DSM offerings require marketing, agreements with channel partners, the review and acceptance of participants, and in many cases the completion of necessary energy audits before program participation can take place. Enbridge Gas would be required to generate and file a multi-year application with an additional set of budgets, targets, scorecards and proposed maximum shareholder incentive for the period in 2026 that would not be subject to the 2026 rollover approval. Parties would then ask interrogatories and possibly adduce evidence not only about the 2027+ plan parameters but also for the stub period of months in 2026. The Board would be required to consider and make a ruling in respect of both this additional set of proposed parameters for 2026 and for 2027 and subsequent years.

Further, the Company would be put to the time and expense of preparing two final sets of results for 2026, one for the rollover period and the other for the balance of the year. Both sets of results would need to undergo a full Evaluation Monitoring & Verification review including a review by the Evaluation Contractor. Parties would then have the right to review and challenge the two sets of results in a clearance proceeding and the Board would be required to consider and make rulings on two sets of results. The process would clearly be more complicated and costly.

There should be no uncertainty about the fact that what the Environmental Parties are proposing would significantly increase the regulatory burden on the Company, stakeholders and the OEB. It would decrease regulatory efficiency and, perhaps most importantly, likely delay matters even further.

Enbridge Gas has filed an application proposing a rollover of the current approved 2023-2025 DSM plan into 2026. The Company has significant concerns with what the Environmental Parties are proposing. Even if the jurisdiction exists such that the OEB can direct Enbridge Gas to file a partial year DSM application, the Company submits that such a direction would lack any evidentiary record upon which to base such a direction. An evidentiary record will only begin to exist once Enbridge Gas files its 2027+ multi-year DSM application which it contemplates doing

³ 2026 Application, Exhibit C-5-1 Table 1, page 3

⁴ EB-2021-0002

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after the OEB's releases its decision in respect of the 2026 Application which the Company has requested by the end of September 2025.

Yours truly,

AIRD & BERLIS LLP



Dennis M. O'Leary
Partner
DMO