



July 2, 2025

VIA RESS

Ontario Energy Board
Attention: Acting Registrar
P.O. Box 2319,
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Mr. Murray,

Re: Enbridge Gas Inc.
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. ("**MC**") in the above-noted proceeding (the "**Proceeding**"). Pursuant to the Decision on the Settlement Proposal and Procedural Order No. 4, please find attached the written submissions of MC in the Proceeding.

Sincerely,

DT Vollmer

c. All parties
Dr. Don Richardson, MC

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Sched. B, as amended (the “**Act**”);

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

SUBMISSIONS

OF

MINOGI CORP.

July 2, 2025

I. INTRODUCTION

1. We are counsel to Minogi Corp. (“**Minogi**”) 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**”).
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 300 members.
3. Minogi has full intervenor status in this proceeding and MSIFN has traditional territory, and associated Aboriginal rights and interests protected by the *Constitution Act, 1982*, that may be impacted by the outcomes of this proceeding.
4. Minogi’s participation in the proceeding is a direct result of its participation in the Indigenous Working Group (“**IWG**”), established and approved by the Board as part of the Phase 1 rebasing proceeding (EB-2022-0200) Partial Settlement Agreement (the “**Agreement**”). Minogi indicated in its notice of intervention that through its participation in IWG meetings and related discussions with EGI, the issue of unaccounted-for gas (“**UFG**”) and related fugitive emissions were, and continue to be, an area of focus and importance to MSIFN and its members.
5. Through the IWG and discussions with EGI, Minogi was encouraged to participate in this proceeding to address UFG-related issues, including in relation to better understanding EGI’s fugitive emissions, and EGI’s reluctance to answer specific questions related to fugitive emissions. EGI suggested to Minogi’s representatives that the current Application was potentially a more appropriate forum to address these questions, since it offered a more structured and publicly accessible process, and reduced the risk of inconsistent positions or information across different venues.

II. OVERVIEW

6. Minogi's submissions are generally that:
 - i. The Fugitive Emissions Measurement Plan pilot ("**FEMP Pilot**") is a cost-effective plan to identify significant sources of fugitive emissions and appropriate mitigation measures to the benefit of all ratepayers, generally, as well as Indigenous rightsholders such as MSIFN and its members that remain concerned about the impacts and quantification of EGI's actual fugitive emissions;
 - ii. The FEMP Pilot as proposed by EGI in its pre-filed evidence should be approved; and
 - iii. The IWG 2025 budget is appropriate.

III. SUBMISSIONS

A. Minogi Supports the FEMP Pilot

Fugitive Emissions are of significant concern to MSIFN and other First Nations

7. Fugitive methane emissions are of significant concern to MSIFN and its members, both as ratepayers and as Indigenous rightsholders. The rejection of the FEMP Pilot will likely result in an increase in fugitive methane emissions throughout the treaty lands and traditional territory of MSIFN, as a result of inadequate quantification and measurement of EGI's actual fugitive emissions.
8. Fugitive methane emissions are of significant concern to MSIFN and its members as Indigenous rightsholders whose cultural, spiritual and economic well-being is bound to the health of the land, air and water. The Board's rejection of the FEMP Pilot set out in the Settlement Proposal will predictably allow higher volumes of unmeasured methane to escape across MSIFN's treaty lands and traditional territory, eroding MSIFN's environmental and cultural responsibilities across its treaty lands.
9. Methane emissions have a global warming potential more than 80 times that of CO₂, yet emitters are only required to pay for methane emissions at a rate of 25 times that of CO₂. Methane emissions degrade local air quality, heightening the risk of respiratory illnesses and compounding existing health disparities in many First Nation communities. They

accelerate climate warming, which increasing threats to traditional harvesting grounds and culturally important sites through increased wildfire risk and lower air quality, and disrupts fish and wildlife populations that underpin the practices and cultural ceremonies of MSIFN.

10. Increases in fugitive methane emissions will result, in turn, in increased costs for all ratepayers, including MSIFN's members, as a result of the pass through of charges under federal and provincial industrial GHG pricing schemes and other interventions to reduce emissions to meet Canada's commitment to reduce greenhouse emissions by 45–50% below 2005 levels by 2035. These costs will continue to increase in the future as emitters, such as EGI, will be required to pay more for their methane emissions as policies and regulations evolve to be in line with the latest climate science.
11. Canada continues to work to significantly reduce methane emissions in the oil and gas sector in support of the Global Methane Pledge¹ and as part of the proposed cap on emissions in the oil and gas sector.² The Global Methane Pledge aims to reduce methane emissions by 30 percent below 2020 levels by 2030. Canada has committed to developing a plan to reduce methane emissions from the oil and gas sector by at least 75 percent below 2012 levels by 2030.
12. EGI has confirmed that it will continue to comply with the *Federal Methane Regulation* which supports Canada's methane reduction targets. Environment and Climate Change continues to consult on the proposed regulatory framework to hold the sector accountable for its emissions and noted that such a cap will be in line with Canada's climate ambitions and commitments outlined in the 2030 Emissions Reduction Plan.
13. The FEMP Pilot is also consistent with the broader public policy of the Ontario government to reduce emissions by 30% from 2005 levels by 2030. For example, Ontario's recently released Integrated Energy Plan mentions emissions reductions and/or low-emissions over 30 times.³

¹

² See also submissions of Three Fires Group Inc. and Caldwell First Nation in EB-2022-0086, pp. 39-41; available on [RDS](#).

³ Ontario, "[Energy for Generations](#)", (June 12, 2025).

The FEMP pilot is a cost-effective plan to identify significant sources of fugitive emissions and appropriate mitigation measures to the benefit of all ratepayers

14. The FEMP Pilot is a cost-effective, systematic framework for EGI to identify and quantify fugitive emission sources, design and deploy targeted mitigation measures across its entire service territory, and both reduce overall costly methane emissions for ratepayers and improve the precision and transparency of its fugitive emissions reporting.
15. In the EB-2022-0200 Agreement, Enbridge Gas committed to:

“investigate and determine an appropriate way to accurately measure fugitive emissions, including consideration of top-down measurements (i.e., by aircraft, satellite, and/or towers), with the goals of: (a) confirming the volume of fugitive emissions, (b) determining if recent UFG increases could be due to fugitive emissions, and (c) attempting to locate specific fugitive sources that can be mitigated.”
16. As part of its pre-filed evidence, EGI included a commissioned third-party report by Highwood Emissions Management Inc. “to support its work to investigate and analyze fugitive emission sources and support the development of an investigation plan” (the “**Highwood Report**”).⁴
17. As summarized by EGI, the Highwood Report provides the following four recommendations to improve the accuracy of EGI’s fugitive emissions inventory:
 - i. The development of company-specific EFs for DO, prioritizing sources with high materiality and high levels of uncertainty.
 - ii. Piloting a Mobile Ground Detection (vehicle) measurement strategy for DO, and using the outcomes and lessons learned from the pilot to direct future measurement efforts to improve the accuracy of the emissions inventory. It was suggested to evaluate the piloted mobile technology with respect to its ability to accurately detect and quantify leaks.

⁴ Exhibit D, Tab 1, p. 59.; Highwood Report provided at Exhibit D, Tab 1, Attachment 1.

- iii. Working towards the development of a measurement-informed inventory, using data obtained through the first two recommendations.
 - iv. Monitoring advances in aerial and satellite performance and evaluating emerging technology capabilities for suitability for deployment on distribution systems.⁵
18. To begin the implementation of the Highwood Report recommendations, EGI proposed, as part of meeting its commitments related to UFG and fugitive emissions in the Agreement, to begin development of company-specific emission factors on a subset of assets and to pilot a mobile ground technology on a portion of the distribution system, as part of its investigation plan, i.e., the FEMP Pilot as proposed in the pre-filed evidence.⁶ EGI indicated that the results of this mobile ground pilot and preliminary company-specific emission factor work will help inform next steps in the development of a broader fugitive emissions measurement program to support the development of a measurement-informed inventory.⁷
19. Minogi respectfully submits that the FEMP Pilot as proposed in the pre-filed evidence and the anticipated expansion into a comprehensive fugitive-emissions measurement program was developed specifically to give effect to the commitments set out in the Agreement. By rejecting the Settlement Proposal, however, the Board has seemingly inadvertently enabled EGI to abandon its express commitment to “investigate and determine an **appropriate** way to accurately measure fugitive emissions,” (emphasis added) thereby hollowing out a core component of the Agreement.
20. Minogi submits that an “appropriate” plan is one that is capable or likely to be approved by the Board and respectfully urges the Board to remedy the consequence of its rejection by approving the FEMP Pilot as proposed in the pre-filed evidence to ensure that EGI fulfils its commitments related to determining an *appropriate* fugitive-emissions measurement plan in accordance with the terms of the Agreement, and to report progress on a clearly defined timetable.

⁵ Exhibit D, Tab 1, pp. 60-61

⁶ *Ibid.*, p. 62.

⁷ *Ibid.*

21. In the alternative, Minogi requests that, at minimum, the Board direct EGI to implement the Highwood Report's recommendations to develop company-specific emission factors based on source-level measurements for DO (recommendation 1) and piloting a Mobile Ground Detection (vehicle) measurement strategy for DO (recommendation 2), as Minogi agrees with the Highwood Report that:
- i. "[w]ithout company-specific emission factors based on measurement data to increase the accuracy of emissions, this will also continue to be a consistently large source category based on activity, but more accurate emission factors could increase or decrease materiality. Generic emission factors may not represent the specific characteristics of a company's unique operating parameters, including maintenance and repair practices or preventive policies";⁸ and
 - ii. "[m]ore accurately quantifying fugitive emissions can be achieved by increasing detection and incorporating measurement to develop a measurement informed inventory. Increased detection can help determine more accurate leak occurrences and measurement can help determine leak sizes. Both will contribute to a more accurate quantification of fugitive emissions."⁹

B. Environmental Defence Submissions

Minogi Generally Supports the Submissions of Environmental Defence on the FEMP Pilot

22. Minogi has had the opportunity to review an advance version of Environmental Defence's ("ED") submissions and provides its general support for ED's submissions on the FEMP Pilot, including that:
- i. the FEMP Pilot, as originally proposed by EGI, would implement Highwood's four recommendations;
 - ii. approval of the FEMP Pilot should not and need not depend on approval of variance account proposed by Enbridge;

⁸ Exhibit D, Tab 1, Attachment 1, p, 95

⁹ *Ibid.*, p. 97.

- iii. the FEMP Pilot is financially prudent and an important element of EGI's overall examination of unexplained UFG;
- iv. it is likely that the FEMP Pilot will identify avenues to cost-effectively reduce fugitive emission; and
- v. the FEMP Pilot will generate valuable and important information regarding potential reasons for the high levels of unexplained UFG in EGI's system.

C. Other Issues

- 23. Minogi supports the EGI's confirmation that the 2025 IWG budget is acceptable and submits that the budget is consistent with the terms of the Agreement.
- 24. Minogi does not dispute the clearance of the Enbridge Gas, EGD rate zone, and Union rate zones 2023 deferral and variance accounts that are not in dispute and takes no position on the other disputed issues.

IV. RELIEF REQUESTED

- 25. Therefore, Minogi respectfully requests that the Board:
 - i. approve the FEMP Pilot; and
 - ii. approve, endorse or acknowledge that the IWG budget for 2025 is appropriate.

V. COSTS

- 26. Minogi respectfully submits that it has participated responsibly in this proceeding with a view to maximizing its assistance to the Board, and therefore requests that the Board order reimbursement of its reasonably incurred costs.

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS
2nd day of July, 2025



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