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By email

July 4, 2025

Ritchie Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th floor
Toronto, ON M4P 1E4

Dear Mr. Murray

Re: EB-2024-0125 – CME Submission - Enbridge Gas Inc. 2023 ESM/DVA

We are writing on behalf of Canadian Manufacturers & Exporters (“CME”). We apologize for the late submission of this letter, which was caused by extended absences due to summer holiday. Please consider this correspondence as CME’s written comments regarding the unsettled issues from EB-2024-0125, Enbridge Gas Inc.’s (“EGI”) application regarding the 2023 earnings sharing mechanism (“ESM”) and its deferral and variance accounts (“DVA”).

As determined in the Board’s Decision and Procedural Order #4 dated May 27, 2025, the Board did not accept the settlement proposal. Accordingly, parties were invited to make submissions on any of the issues in the application. Through discussions between the parties and EGI, the only matters at issue were determined to be the Get Ontario Connected Act Variance Account (“GOCAVA”), EGI’s 2023 and earlier unaccounted for gas accounts and related matters, and EGI’s initial proposal for a FEMP pilot project.

CME is only taking a position with respect to the GOCAVA issue. In this regard, CME had the benefit of reviewing an advanced copy of SEC’s argument in this respect. CME agrees with SEC that:

- 1) The Board established the GOCAVA account to capture costs that “arose specifically” and are a “direct result” of Bill 93;¹

¹ Decision and Order, EB-2023-0143, Getting Ontario Connected Act Variance Account, October 31, 2023, p. 7.

- 2) The applicant EGI has the burden of demonstrating that the amounts recorded in its GOCAVA are the direct and specific result of the act;
- 3) EGI's evidence on the GOCAVA indicated that some of the increases in costs were as a result of labour negotiations,² and some costs were related to other services which may have increased in price, but not as a direct result of the act.

Accordingly, CME agrees that EGI has not full discharged their burden demonstrating that these are costs that are properly recoverable pursuant to the GOCAVA. CME also agrees that trying to break out specific drivers which act in concert to raise prices is likely impossible. Accordingly, CME submits that SEC's proposal for the Board to accept 50% of the increase in locate costs and 0% in the increased VMS costs is reasonable and appropriate.

Yours very truly

A handwritten signature in blue ink, appearing to read "Scott Pollock", with a stylized, cursive script.

Scott Pollock

C. Vincent Caron (CME)

² EB-2024-0125, Exhibit C, Tab 1, p. 25.