

July 14, 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. ("Enbridge Gas" or the "Company")**  
**Proposed Rollover of Existing 2023-2025 DSM Plan for 2026**  
**EB-2024-0198**

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In accordance with Procedural Order No. 4 dated July 3, 2025, this is the response of Enbridge Gas to the two letters dated July 11, 2025 directed to the OEB dealing with proposed intervenor evidence issues. One letter was sent on behalf of the Environmental Defence and the Green Energy Coalition (the "**Environmental Groups**") and the other by the Small Business Utility Alliance ("**SBUA**"). We deal with each under separate headings below.

**The Environmental Groups**

The letter from counsel to the Environmental Groups, Mr. Elson, addresses two areas under the following subheadings.

*Cost-effectiveness calculations*

The Environmental Groups list nine issues that relate to cost-effectiveness that they may wish to address but acknowledge that several are ones that the OEB will defer to an examination during the 2027+ DSM Plan proceeding or would require adjustments to the existing DSM Plan that are beyond what is possible in a rollover. Accordingly, the Environmental Groups<sup>1</sup> state that they believe that:

a full rollover for 2026 should be approved as soon as possible, including for the reasons outlined by Enbridge. We believe those rationales are convincing and that no further evidence regarding cost-effectiveness is needed to support a rollover.

The Environmental Groups therefore do not seek leave to introduce evidence in this rollover proceeding in respect of the cost-effectiveness of the Residential Program.

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<sup>1</sup> The applicable paragraph on page 2 of Mr. Elson's letter actually only refers to Environmental Defence but Enbridge Gas presumes that this is just a typo and both ED and GEC are supportive.

However, the Environmental Groups appear to want to reserve the right to introduce evidence in the event that the OEB does not approve the continuation of the Residential Program as proposed by Enbridge Gas. While it is difficult to understand how this would work and it is likely introducing such new evidence would delay timely adjudication of the application, the Company presumes that if the Environmental Groups are afforded a subsequent opportunity to seek leave to file evidence that Enbridge Gas will be permitted an opportunity to reply to any such request.

*Residential program delivery details*

Under this subheading the Environmental Groups request leave to introduce evidence in respect of the three bulleted areas identified at pages 2 and 3 of Mr. Elson's letter. The OEB should deny this request. The Company notes, as the subheading confirms, that this evidence would relate to "program delivery details". While the Company always welcomes the input of stakeholders with a view to improving the operational efficiency of its program offerings, such granular matters are rarely the subject of OEB oversight and approvals.<sup>2</sup> The day-to-day operations of program offerings are necessarily the responsibility of the Company as the DSM program administrator.<sup>3</sup>

Mr. Elson however states in his letter that: "it may be possible to address these delivery details though direct discussions with Enbridge. Therefore, we propose to attempt to initiate those discussions now and only prepare and file evidence if necessary (and if approved by the OEB)". Enbridge Gas welcomes the direct input of the Environmental Groups but maintains that any such input should not result in permission to file additional evidence or otherwise complicate the proceeding.

**SBUA**

The SBUA letter does not request the right to introduce new evidence in respect of the Residential Program. It instead provides notice that the SBUA intends to rely upon the evidence of its expert, the Green Energy Economics Group, which filed a report dated December 1, 2021 in the EB-2021-002 Multi-year DSM Plan proceeding. It will be recalled that the authors of this report responded to interrogatories and questioning at a technical conference and at the oral hearing.

In the OEB's Decision and Order dated November 15, 2022 (the "**2022 Decision**"), the OEB noted at page 36 of the 2022 Decision that:

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<sup>2</sup> See EB-2018-0300/0301, OEB Decision and Order, April 11, 2019, p.10: "The direction of the OEB has been to encourage maximum energy savings while maintaining an appropriate level of oversight. The OEB sees no benefit in micromanaging the utility DSM offerings and would expect a significant increase in costs and delay in program delivery if it attempted to do so."

<sup>3</sup> See EB-2021-0002, OEB Decision and Order, November 15, 2022, p.26: "The OEB confirms that Enbridge Gas is responsible to make decisions on any changes to its DSM Plan and programs and offerings..."

Among the recommendations suggested by SBUA included expanded measures, including access to measures currently only available to residential customers for small business customers

In its Findings at page 37 of the 2022 Decision, the OEB stated:

The OEB approves the proposed Commercial Program and the four program offerings. The OEB appreciates the difficulty in tailoring specific offerings for the varying types of commercial customers but is of the view that Enbridge Gas has made reasonable efforts to address some concerns raised by parties. However, the OEB is of the view that for the next DSM plan, Enbridge Gas should give further consideration to additional opportunities for the program offerings to evolve and reflect practical realities, including those faced by small businesses as highlighted by SBUA and discuss with the SAG.

Enbridge Gas notes that small business programming was a topic discussed by the Stakeholder Advisory Group (“**SAG**”) as is confirmed in the SAG Report<sup>4</sup> and in response to the 2022 Decision, the Company proposed in its November 29, 2024 Multi-Year DSM Application filing a Commercial Microbusiness Offering designed to reach a specific set of small business customers.<sup>5</sup> The Company notes that the SAG indicated that the Commercial Microbusiness Offering was a good addition<sup>6</sup>.

To be clear, expanding the eligibility of the residential program offerings to small commercial enterprises would require changes to the Residential and Commercial Program scorecards. Under the current approved DSM Plan, small businesses are eligible to participate in the commercial offerings, and the budgets and scorecards have been developed based upon the forecast participation of such small businesses.

In Procedural Order No. 4 the OEB stated at page 4:

Given the one-year scope of the rollover, the OEB does not intend to explore entirely new residential programs or offerings not proposed in the rollover request. The OEB also does not anticipate the need for further evidence to be filed with respect to all other aspects of Enbridge Gas’s 2026 DSM plan rollover request beyond the Residential Program.

Expanding the eligibility criteria of the current residential offerings to small commercial businesses would require new and additional evidence proposing amendments to the affected offerings and revised budgets and scorecards. It could also necessitate a change in rates for several affected rate classes. What the SBUA is proposing is therefore inconsistent with Procedural Order No. 4 as noted above. Enbridge Gas submits that SBUA’s signalled issues are simply out of scope for this rollover proceeding and the OEB should confirm this in its decision responding to same.

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<sup>4</sup> EB-2022-0295, SAG Report, November 11, 2024. For example please see Table 4 at page 17

<sup>5</sup> EB-2024-0198, Enbridge Gas 2026-2030 DSM Plan Application, November 29, 2024, Exhibit D, Tab 3, Schedule 1, Page 11. Further details regarding the offering can be found in Exhibit E, Tab 4, Schedule 7.

<sup>6</sup> EB-2022-0295, SAG Report, November 11, 2024, page 57.

July 14, 2025  
Page 4

Yours truly,  
**AIRD & BERLIS LLP**



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