

Mr. Ritchie Murray
Acting Registrar
Ontario Energy Board
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Toronto, ON M4P 1E4

August 20, 2025

EB-2024-0198 – Enbridge 2026-2030 DSM Application
Pollution Probe Submission on Enbridge Confidentiality Request

Dear Mr. Murray:

The following is Pollution Probe's submission on confidentiality per the Ontario Energy Board (OEB) direction in Procedural Order No. 6. Pollution Probe has avoided including specific wording (or figures) from the Enbridge redactions in order to enable comments to be part of the public record. Given the large number of redactions requested by Enbridge, it is more efficient to respond to them in a bucketed manner than to include every redacted word/figure in this submission.

First of all, before delving into the specific details of Enbridge's confidentiality request it is important to recognise that the OEB and stakeholders have been requesting for a long time that Enbridge advance program partnerships that increase DSM results and leverage the cost-effective benefits of enhanced partnerships. Although Enbridge did include a residential one-window DSM program during the current Demand Side Management (DSM) plan term¹, there is a significant number low hanging fruit that is still available. Gaps included DSM partnerships with the Independent Electricity System Operator (IESO) and Ontario municipalities which already have a complimentary focus on reducing Ontario energy and emissions for the exact same Ontario consumers that the Enbridge DSM programs attempts to impact. The OEB's Decision² was clear that more is expected and required. It is positive that Enbridge has been able to make a tangible shift during the current DSM plan term to partner with IESO on the new one-window residential program. Although the actual incremental results and cost-effectiveness of this new program will be assessed in detail in the future (including during evaluation), this represents one positive step towards building out the DSM partnerships urgently needed.

Pollution Probe received Enbridge's filing of undertaking responses on August 8, 2025 and Enbridge's request for confidential treatment for large portions of Exhibit JT1.6, Attachment 1, the Collaboration and Cooperation Agreement between Enbridge Gas and the Independent Electricity System Operator ("IESO") for the Home Renovation Savings ("HRS") Program, executed July 7, 2025 ("Agreement").

As confirmed by Enbridge, the Agreement relates to the HRS Program, which is the residential one-window program jointly developed and delivered by Enbridge Gas and the IESO. The HRS Program uses gas ratepayer funding to target results in the years 2025 through 2027, with extension options through

¹ Greener Home Grant per EB-2021-0002 EGI_NRCanAgreement_20221124

² EB-2021-0002 Dec_Order_EGI_DSM Plan_20221115

to the end of 2030. The Agreement was only recently executed in mid-2025 (July 7, 2025) and has not been filed previously as part of any DSM reviews or approvals. In this manner, Enbridge is taking the risk of using DSM funds for a new program not reviewed in detailed by the OEB or approved in advance. This increases the importance of evaluation to ensure the results meet requirements.

In its August 8, 2025 submission, Enbridge attached a table highlighting large portions of the Agreement that it redacted and requested confidential treatment³. A general summary approach by redacted section was used in the table provided by Enbridge. Enbridge even went as far as redacting program summary line item costs and details that are routinely expected and provided to support DSM funded programs⁴. These budget details are critical public information to demonstrate that gas ratepayer funds are being leveraged in a manner that is prudent and effective. Hiding those details from the public record not only impacts the transparency of the record, but poses ongoing efficiency and transparency barriers over the life of the program and Agreement, including when the OEB DSM committees attempt to review, evaluate and audit the actual spending and results in accordance with OEB requirements. Pollution Probe also notes that the redacted tables include details related to EM&V which are critically important to evaluate program effectiveness.

Following the issuance of Procedural Order No. 6, Enbridge has provided an unredacted version of the Agreement, as is normal protocol to allow parties to review and provide submissions on Enbridge's redaction requests. In that most recent document⁵ Enbridge has modified the basis of its original confidentiality request, added new colour coding to the redacted version and included a new category for 'duplicate and erroneous' information. It is also interesting to note that when Enbridge refiled the undertaking response⁶, the table laying out the details supporting requested redactions was removed.

The HRS Program and Agreement are directly relevant to the DSM residential program from the Agreement Effective Date (October 4, 2024) to December 31, 2027, and potentially to December 31, 2030 if the extension provisions in the Agreement are leveraged. All elements of the Agreement are required to understand the Agreement in its entirety. Funding allocated in the Agreement for 2025 is an essential base for the 2026 program delivery and funding allocated in 2027 is also directly connected to the 2026 program year (including EM&V details), per review of the Agreement in its entirety. When this DSM funded program is reviewed, delivered and audited, it is the entire program that needs to be considered and the entire program Agreement is relevant to the requested 2026 one-year DSM Framework extension. Simply stated, the Agreement is the Agreement and forms the basis of the legal document enabling the DSM program coordination, costs allocation, savings attribution and other relevant elements of the joint residential program partnership⁷. Any duplication or errors in sections of the Agreement are still part of the Agreement for execution purposes. It is reasonable to expect that an Agreement update would have been already made if anything (e.g. duplication, errors, etc.) in the Agreement was critical. This is not the case. Now that those sections have been provided in an unredacted manner it is also clear that those pages do actually relate to the HRS Program and related

³ See EGI_EB-2024-0198_Undertakings_20250808, Pages 3 to 9.

⁴ Examples include Exhibit JT1.6, Attachment 1, Pages 87 through 97.

⁵ JT1.6_Attachment 1_CONFIDENTIAL.

⁶ EGI_EB-2024-0198_Undertakings_updated 20250814.

⁷ In fact, Section 15.6 even states "This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter of this Agreement".

DSM funding, despite any administrative error in compiling the Agreement for execution. Redacting any portion of the agreement would only lead to lack of transparency and confusion over the details redacted and how it impacts the Agreement as a whole. The Agreement needs to stand on its own as a whole.

As noted previously, this type of partnership agreement is similar in nature to the Green Homes Grant Program appropriately reviewed by the OEB for the current DSM Plan⁸. In fact, the approach to provide a “one-window” program access for all eligible Ontarians⁹, is synonymous with the purpose of the HRS Agreement. Allocation of DSM funding over the period, incentives and expected net DSM results are also all relevant to both agreements. The HRS Agreement essentially fills a void (in part or whole) left by the removal of the Green Homes Grant program partnership part way through the DSM plan term.

As the OEB is aware, Enbridge requested confidential treatment for portions of the Green Homes Grant Program agreement on a similar basis to its current request for confidential treatment to the Agreement filed as Exhibit JT1.6, Attachment 1. The OEB denied Enbridge’s request for confidential treatment and ordered Enbridge to file a fully unredacted version of the agreement¹⁰. This OEB Decision aligns with its default requirement that ensures that documents are available on the public record in an unredacted form. The OEB also ordered Enbridge to file a copy of any future amendments to the Green Homes Grant Program agreement with the OEB within 5 business days of the execution of such amendments¹¹. Given that Enbridge has noted that it expects amendment to the Enbridge-IESO HRS Agreement¹², a similar approach is recommended to the OEB.

The vast majority of the redactions pertain to details that Enbridge suggests are non-relevant. The OEB’s DSM Decision pertaining to the current DSM plan term highlighted that “There is, however, no requirement to redact out non-relevant information from a document that also contains relevant information and generally the OEB would not expect parties to do so absent a particular concern about the non-relevant information being made public”¹³. The same approach and principles should apply to the HRS Agreement which is also being delivered in the current DSM plan term. Enbridge suggested that some of the redacted information was prejudicial and of a sensitive commercial nature, but based on a review of the unredacted agreement, this is actually not the case. In fact, Enbridge and IESO clearly know that the OEB would likely require the full Agreement to be placed on the public record and included wording in the Agreement to facilitate this¹⁴. The OEB does not require Enbridge or IESO permission to require the Agreement to be placed on the public record, but it is reassuring that the Agreement already considered that likely outcome.

IESO submitted a high-level letter¹⁵ to support Enbridge’s request for redaction of ‘non-relevant elements’. The elements that IESO specifically notes as non-relevant are included below with a column added to provide comments against each item.

⁸ EB-2021-0002 EGI_NRCanAgreement_20221124

⁹ EB-2021-0002 EGI_NRCanAgreement_20221124, Attachment 2 Page 2 of 42.

¹⁰ EB-2021-0002 Dec_Confidentiality_PO9_EGI DSM_11212022

¹¹ EB-2021-0002 Dec_Order_EGI_DSM Plan_20221115, Page 94.

¹² EGI_EB-2024-0198_Undertakings_20250808, Page 8.

¹³ EB-2021-0002 Dec_Confidentiality_PO9_EGI DSM_11212022, Page 2.

¹⁴ Agreement Section 6.1d.

¹⁵ IESO Letter - Confidentiality Aug 14 2025.

IESO Suggested Non-Relevant Item	Comment
Erroneous Pages: 7 full pages have been redacted because they were erroneously included in the execution version of the Agreement (i.e., extra pages were inadvertently included in the Schedules to the Agreement at the time of signature). [Note: these represent Pages 91-97 of Attachment 1]	These pages are details directly related to the joint HRS program. Even if the pages were added to the Agreement erroneously, they form part of the Agreement and there is no valid basis for redacting them.
Branding Style Guidelines: The last 37 full pages have been redacted because they are comprised entirely of the branding style guidelines for the Home Renovation Savings Program (“HRSP”) (i.e., the rules, marks and templates to be used to ensure consistency of style across HRSP documentation).	The branding style guidelines are simply the guidelines being applied to the program materials and advertisement. Application of the guidelines is used for materials that are already being made public.
Cybersecurity Information: 3 full pages comprising the cybersecurity protocol have been redacted. These pages set out the process that Enbridge Gas and the IESO will follow to prevent and manage any cybersecurity incidents. [Note: these represent Pages 99-101 of Attachment 1]	These pages only include high level wording for Enbridge to follow and the requirements align with common industry protocols similar to those routinely reviewed by the OEB in an unredacted manner. There are no specific details on those pages that would undermine actual security protocols that are put in place.
IESO Incident: 1 full page regarding an IESO-related incident, which is currently being investigated has also been redacted. [Note: these represent Page 61 of Attachment 1]	This page has no specific details and simply refers to a document that is not included in the Agreement. There is no valid basis to redact this paragraph.
Numerical Information:	As noted, this information simply relates to various administrative contract requirements or limits to shared program costs. They are relevant to the Agreement delivery and there does not appear to be a reason to redact any of that information. In fact, these details may be required when the program is reviewed in detail, including during OEB evaluation and audit.

The entire Agreement is relevant to the residential DSM program proposed to be delivered in 2026. The Agreement lays out coordination, partnership and cost allocation details specific to the residential DSM program funded by gas ratepayers. Pollution Probe has had an opportunity to review the unredacted Agreement and there does not appear to be any valid basis for redacting anything in the Agreement. The entire Agreement needs to stand on its own and redacting portions restricts that from occurring.

The OEB's baseline requirement is to ensure that all information is part of the public record unless there is a specific and valid reason for any redactions requested. Requests for confidential treatment are not meant to be applied on a general broad-brush approach to simply avoid including information on the public record. Pollution Probe recommends that the redactions and request for confidential treatment to the Agreement filed as Exhibit JT1.6, Attachment 1 be rejected.

Respectfully submitted on behalf of Pollution Probe.

A handwritten signature in black ink, appearing to read "Michael Brophy", is positioned above a horizontal line.

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