



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

BY EMAIL

August 20, 2025

Ritchie Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
registrar@oeb.ca

Dear Ritchie Murray:

**Re: Ontario Energy Board (OEB) Staff Submissions
Enbridge Gas Inc. – Application for a 2026 Natural Gas Demand Side
Management Plan
OEB File Number: EB-2024-0198**

In accordance with Procedural Order No. 6, please find attached the OEB staff's submission on requests for confidential treatment by Enbridge Gas Inc.

Yours truly,

Michael Bell
Senior Advisor, Application Policy & Conservation

c: All parties in EB-2024-0198

Encl.



ONTARIO ENERGY BOARD

OEB Staff Submission on Confidentiality

Enbridge Gas Inc.

**One-year extension of 2023-2025 Natural Gas Demand Side
Management Plan**

EB-2024-0198

August 20, 2025

Introduction

Enbridge Gas Inc. (Enbridge Gas) is seeking approval to extend its 2023-2025 natural gas demand side management (DSM) plan for one year.

Enbridge Gas filed updated evidence for its 2026 DSM Plan on June 20, 2025. In lieu of interrogatories, Enbridge Gas and intervenors participated in a technical conference on July 24, 2025.

On August 8, 2025, Enbridge Gas filed its Technical Conference undertaking responses. In accordance with the OEB's *Practice Direction on Confidential Filings*, Enbridge Gas requested confidential treatment 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 (the HRS Agreement).

The HRS Agreement is related to the residential one-window program jointly developed and delivered by Enbridge Gas and the IESO. The HRS Program began in early 2025. The HRS Agreement contains provisions dealing with each of Enbridge Gas and the IESO's responsibilities for costs and expenses, amongst other things.

Enbridge Gas stated that in some instances, the request for confidentiality is driven by the commercial sensitivity of the information. Enbridge Gas noted that public disclosure of this information could prejudice negotiations with future suppliers or negatively impact future procurement processes, as interested parties would have inappropriate insight into pricing models, budgets and similar commercially sensitive information.

Enbridge Gas indicated that the information that is the subject of requests for redaction on the basis of non-relevance or confidential treatment has been redacted in the version of the HRS Agreement made publicly available.

OEB Staff Submission

OEB Staff's submissions on Enbridge Gas's requests to redact certain information is summarized in the table below:

No.	Portion of HRS Agreement	Brief Description	Confidential Information Location	Enbridge Gas Basis for Redaction	OEB staff Submissions on Confidentiality
1	Article 10.1	Insurance Limits	Pages 39-40 of Attachment 1	Non-relevance and confidential (commercially sensitive information)	Support

No.	Portion of HRS Agreement	Brief Description	Confidential Information Location	Enbridge Gas Basis for Redaction	OEB staff Submissions on Confidentiality
2	Article 11.2	Cumulative Liability Limits	Page 43 of Attachment 1	Non-relevance and confidentiality (commercially sensitive information)	<i>Support</i>
3	Schedule A, Article 3.1(g)	HRS Program General Requirements, Employee Rate Increases	Page 77 of Attachment 1	Confidentiality (commercially sensitive information)	<i>Do not support</i>
4	Appendix A to Schedule A	Program Set-up Expenses	Page 90 of Attachment 1	Non-relevance and confidentiality (commercially sensitive information)	<i>Support redacting detailed unit pricing for service providers</i> <i>Do not support redacting contribution percentages paid to date</i>
5	Appendix B to Schedule A	Illustrative Cost Sharing Example Tables	a) Summary Table – Page 87 of Attachment 1 b) 2025 Expenses Table – Page 88 of Attachment 1 c) 2026/2027 Expenses Table – Page 89 of Attachment 1	a) Non-relevance and confidential (commercially sensitive information) b) Non-relevance and confidential (commercially sensitive information) c) Non-relevance and confidential (commercially sensitive information)	a) <i>Do not support redacting aggregate HRS Program budget and forecast</i> b) <i>Support redacting detailed 2025 line-item expenses</i> c) <i>Support redacting detailed 2026/2027 line-item expenses</i>
6	Documents Inadvertently Attached to Schedule A	Duplicate and Erroneous Documents	Pages 91-97 of Attachment 1	Non-relevance	<i>OEB staff agrees that this should be redacted until Enbridge Gas and the IESO can formally update the HRS Agreement.</i>
7	Schedule E	Cyber security Protocols	Pages 99-101 of Attachment 1	Non-relevance and confidentiality	<i>Support</i>
8	Schedule F	Style Guidelines	Pages 102-137 of Attachment 1	Non-relevance and confidentiality	<i>Support</i>
9	Schedule 5.1(c)	IESO Breach	Page 61 of Attachment 1	Non-relevance and confidentiality	<i>Support</i>

Requests for redactions due to non-relevance

Enbridge Gas has requested numerous redactions on the basis of non-relevance. OEB staff is of the view that widespread redactions for non-relevance are not appropriate in this case. The information in the HRS Agreement is generally relevant to developing a wholistic understanding of Enbridge Gas's DSM plan and activities, and how Enbridge Gas anticipates the 2026 plan and activities will contribute to the evolution of DSM (and energy conservation efforts more generally) over time. Further, Enbridge Gas's contribution to the HRS Program is funded from rates. Therefore, if there is no harm to Enbridge Gas or the IESO associated with the public release of such information, OEB staff believes the OEB should not accept Enbridge Gas's request to redact any information on the basis of non-relevance.

Redactions for non-relevance were added to the Practice Direction as part of broader set of amendments adopted by the OEB in December 2021. In the cover letter adopting these changes, the OEB's Chief Commissioner stated that "[t]here 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."¹ Thus while it may be that certain isolated segments in the HRS Agreement are unlikely to be the focus of the rollover, the OEB would be setting a problematic precedent in allowing numerous redactions for non-relevance in the HRS Agreement. Moreover, in OEB staff's view, the more efficient approach to deal with relevant commercially sensitive terms in an agreement would be to seek confidential treatment of those commercially sensitive terms rather than engaging in a clause-by-clause review for relevance/non-relevance.

Confidentiality requests OEB staff support

OEB staff supports Enbridge Gas's request for confidential treatment of the following information:

1. Article 10.1 – Insurance Limits (pages 39-40 of Attachment 1)
2. Article 11.2 – Cumulative liability limits (page 43 of Attachment 1)
 - Both insurance limits and cumulative liability limits are commercially sensitive information and should be found confidential consistent with the Practice Direction at Appendix A(a)(i) and (iii) as if publicly available, could impact future contract negotiations and competitive bidding processes.
4. Appendix A to Schedule A – 2025 and 2026/2027 detailed program set-up

¹ OEB Letter, Adoption of Amendments to the Practice Direction on Confidential Filings, EB-2021-0227, December 17, 2021, p. 5.

expenses tables (page 90 of Attachment 1)

- a. OEB staff agrees that the detailed unit pricing for service providers for various activities within the HRS Program, including the HRS Solar/Battery stream, is commercially sensitive information and should be found to be confidential consistent with the Practice Direction at Appendix A(a)(i) and (iii). If publicly available, disclosure of this information could harm future procurement processes and contract negotiations.

5. Appendix B to Schedule A – 2025 and 2026/2027 Expenses Tables (pages 88-90 of Attachment 1)

- a. These tables include detailed, line-item expenses, with specific cost rates for various areas of activity for each component of the HRS Program. OEB staff agrees that this is commercially sensitive and it is reasonable to be treated as confidential consistent with Appendix A(a)(i) and (iii). If publicly available, this information could harm future procurement processes and contract negotiations.

Enbridge Gas has provided the total amounts for each component of the HRS Program which is sufficient information for parties to gain an understanding of how costs are being shared between Enbridge Gas and the IESO across the HRS Program.

6. Documents inadvertently attached to Schedule A – Duplicate and Erroneous Documents (pages 91-97 of Attachment 1)

- a. Enbridge Gas indicated that this information has been erroneously included. Enbridge Gas and the IESO intend to make a formal amendment to the Agreement to remove this information. OEB staff does not see value in including this information on the public record and if included, it could be misleading.

7. Schedule E - Cyber Security Protocols (Pages 99-101 of Attachment 1)

- a. If this information were to be made public, it could prejudice Enbridge Gas's and the IESO's abilities to maintain cybersecurity and should be found confidential consistent with the Practice Direction at Appendix A(c).

8. Schedule F – Style Guidelines (pages 102-137 of Attachment 1)

- a. Although the HRS Program branding is already publicly available on the HRS Program website, the Style Guidelines include detailed information that could reasonably result in customer harm and increase the ability for bad actors to be fraudulent and mislead customers. This information

should be found confidential consistent with the Practice Direction at Appendix A(c).

9. Schedule 5.1(c) – IESO Breach (page 61 of Attachment 1)
 - a. OEB staff agrees that this information appears to relate to an ongoing investigation and that Enbridge Gas's request for confidential treatment consistent with the Practice Direction at Appendix A(c) is reasonable. Additionally, this is information that is not relevant to the requested 2026 DSM Plan application.

Confidentiality requests OEB staff do not support

OEB staff does not support the following requests for confidentiality or claims of non-relevance.

3. Schedule A, Article 3.1(g) – Employee rate increases (page 77 of Attachment 1)

Enbridge Gas requested confidential treatment of the threshold for labour rate increases requiring IESO approval claiming financial and commercially sensitive information. There are no commitments to specific labour rate changes. OEB staff fails to understand how the requested redaction would prejudice either Enbridge Gas or the IESO.

4. Appendix A to Schedule A – Program Set-up Expenses – Contribution Percentages – claims of non-relevance (page 90 of Attachment 1)

Enbridge Gas has claimed that the contribution percentage for various start-up costs between Enbridge Gas and the IESO as well as the program total cost differences on page 90 of Attachment 1 are not relevant. Enbridge Gas noted that the contribution percentages have been what has been paid to date and that this information provides no insight into how costs will be shared between parties in the future. Instead, Enbridge Gas noted that it has provided the agreed split between it and the IESO, which is how costs will be shared going forward and which is relevant for the rollover application.

OEB staff is of the view that although the contribution percentage paid to date may not be what has been agreed to as the program set-up expenses going forward, this information is not confidential. OEB staff also does not agree that the contribution percentage paid to date should be redacted based on non-relevance for the reasons noted earlier in this submission.

5. Appendix B to Schedule A – Summary Table (Page 87 of Attachment 1)

Enbridge Gas has claimed that the 2025 and 2026 forecast HRS budgets should be treated as confidential and be redacted from the public record on the basis that the

information is commercially and financially sensitive. Additionally, Enbridge Gas has claimed that the HRS budget forecasts for 2027 and the 3-year budget totals should be redacted as they are not relevant to the OEB's consideration of the 2026 rollover application.

OEB staff does not agree. The aggregated HRS Program budget information, including annual delivery, promotion and administration costs is information that is a standard inclusion as part of DSM plan applications. Enbridge Gas provided the same information as part of its last multi-year DSM plan application.² OEB staff also does not agree that the forecast program costs for 2027 should be redacted based on non-relevance for the reasons noted earlier in this submission.

All of which is respectfully submitted

² EB-2021-0002, Exhibit I.6.EGI.STAFF.13_Attachment 1.