

Mr. Ritchie Murray
Acting Registrar
Ontario Energy Board
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2300 Yonge Street
Toronto, ON M4P 1E4

December 4, 2025

**EB-2024-0198 – Enbridge 2026-2030 DSM Application
Pollution Probe Cost Claim Reply**

Dear Mr. Murray:

Pollution Probe is in receipt of the Enbridge Gas Inc. (Enbridge) letter of comment dated November 27, 2025 related to intervenor cost claims. Pollution Probe is providing a response to each of the elements included in the Enbridge letter. Pollution Probe is also aware that Environmental Defence (ED) / Green Energy Coalition (GEC) is planning to respond to certain comments in the Enbridge letter related to coordination. Pollution Probe submits that Enbridge's recommendations are not aligned with the facts in this proceeding and that they fail to provide any reference or analysis based on the actual Cost Claim details submitted by Pollution Probe. It appears that the details of Pollution Probe's Cost Claim were not used when Enbridge developed its comments.

It is important to note that none of the actual values and related support for the OEB RESS¹ compliant cost categories used in Pollution Probe's Cost Claim have been challenged by Enbridge. In fact, no specific adjustments have been proposed by Enbridge for any of the cost categories in the Cost Claim submitted. All costs are fully documented in accordance with OEB requirements. Incorrectly extrapolating broader hypothetical scenarios not based on the record in this proceeding and the substance of the Cost Claim is contrary to established practice and does not represent a fair or appropriate approach. Pollution Probe submits that the scope and details of its Cost Claim are accurate, reasonable and supported by the facts in this proceeding.

Pollution Probe has focused on the facts in this proceeding and this response letter is meant to be considered in combination with the Pollution Probe Costs Claim² which included comments on the time required for Pollution Probe to coordinate with ED/GEC on the consolidated set of interrogatories.

¹ OEB system required to be used for creation of cost claims.

² P_PRO EB-2024-0198 Cost Claim 112020251252.

Subsequent to Pollution Probe's submission and Cost Claim, OEB Staff sent an email and invitation on Wednesday November 26, 2025 to Enbridge and intervenors to meet in December and share feedback related to the Pilot approach used for this proceeding. This invitation was sent the day prior to Enbridge's letter on cost claims and represents the opportunity for Enbridge and stakeholders to provide feedback on the Pilot tested in this proceeding. Pollution Probe looks forward to this opportunity to share feedback as noted in its Cost Claim cover letter.

As noted previously, this was not a simple one-year roll over proceeding. The Enbridge request for abeyance and eventual filing of a roll over application impacted application of the Pilot and the overall activities in the proceeding. Procedural Order No.1 indicated that the proceeding was to be focused on the "approval for a new natural gas DSM policy framework effective January 1, 2026 and approval of a new multi-year DSM plan, inclusive of budgets, programs and targets, from January 1, 2026 to December 31, 2030". On March 20, 2025, Enbridge filed a letter with the OEB requesting that the OEB place the application in abeyance until no later than May 30, 2025. On May 23, 2025, Enbridge filed a letter with the OEB requesting an extension to file its evidence update from May 30, 2025 to June 20, 2025. Enbridge filed an updated application on June 20, 2025 requesting that this proceeding be adjusted to be a review of a one-year DSM Framework roll-over with a ratepayer cost estimated at \$199,797,689 for 2026. In Procedural Order No.4 issued July 3, 2025 the OEB set the procedural approach to review Enbridge's one-year DSM Plan extension request. As noted in Pollution Probe's Cost Claim, the Cost Claim activities included for consideration of costs extended from initiation of the proceeding to the final Pollution Probe submission on September 2, 2025.

Although the Enbridge letter appears dramatic in nature (similar tone to the Enbridge Reply Argument), a consideration of the actual facts from the proceeding linked to the details and costs included in the Pollution Probe Cost Claim lead to a very different conclusion than that suggested by Enbridge. Enbridge suggests that Pollution Probe repeatedly introduced misinformation in this proceeding³ and then Enbridge provides no evidentiary references that relate to any of the activities in the Cost Claim. This is similar to the unsupported statements made in the Enbridge's Reply Argument which again provide no evidentiary references. In contrast, Pollution Probe took great effort to provided a large number of evidentiary references in its submission.

Enbridge suggests that there is a basis to disallow costs for this proceeding based on Enbridge's opinion reflecting anecdotal reference to unrelated proceedings. Pollution Probe does not believe it is appropriate or relevant to hypothesize what a Cost Claim should be in this proceeding based on Enbridge's interpretation from anecdotal considerations outside this proceeding. Enbridge has previously identified that it is not proper to use unrelated references

³ _EGJ_Ltr_CostOBJ_20251127, page 9.

from outside the proceeding⁴ and it would not be fair or proper to consider any Enbridge inaccurate generalizations which are external to this proceeding and have no actual bearing to the details in the Cost Claim filed. As the OEB is aware, Pollution Probe has participated as an approved interest party and received approval of its reasonable costs in over one hundred OEB proceedings in the past several years alone.

Enbridge's letter also spends pages on retrospectively challenging the OEB process and decisions from this proceeding⁵. Enbridge reiterates its position outlined in its January 2025 letter which challenged the right for various interested parties to fully participate in this important proceeding. All input and facts were considered by the OEB when the OEB issued Procedural Order No. 1 in March 2025. Enbridge's challenge those OEB decisions and direction has no relevance to Pollution Probe's Cost Claim.

From the approach, tone and limited supporting details in the Enbridge letter, it appears that Enbridge developed its objecting recommendations in an abstract manner and forgot to link them to any of the details and facts included in the actual Cost Claim. This resulted in a general extrapolation of misinformation and creation of statements that do not appropriately represent the facts in this proceeding. Enbridge's letter fails to acknowledge any value and outcomes from this proceeding, including the coordination and participation of Pollution Probe. For example, Enbridge incorrectly indicated that Pollution Probe's Cost Claim cover letter indicated that "intervenor coordination is not in scope for this proceeding"⁶. Pollution Probe clearly confirmed that intervenor coordination did occur in alignment with the Pilot approach. The actual wording from Pollution Probe's Cost Claim cover letter that Enbridge misquoted was "The OEB confirmed in its Decision that providing detailed feedback on the OEB Pilot is outside the scope of this proceeding and therefore detailed feedback can be provided at a later time should the OEB request it." This approach as outlined in Pollution Probe's Cost Claim cover letter has been affirmed through the OEB Decision and through the OEB Staff invitation to Enbridge and intervenors to provide Pilot closeout feedback in the December debrief session. It appears that Enbridge may have misinterpreted Pollution Probe's request for clarity as a request for relief from the Pilot. This was not Pollution Probe's intent and given that Pollution Probe fully participated in the Pilot, no such relief is required.

The OEB noted in Procedural Order No. 1 that it is aware of the coordination that typical occurs as part of proceedings. As typical for Pollution Probe, there was coordination with a broad range of intervenors during the proceeding, including but not limited to ED/GEC. Although the

⁴ Examples include EB-2023-0201 EGI_ReplySUB_20240424, paragraph 8; and EB-2022-0249 - EGI ReplyARG_HV-MBQ-Selwyn_20230823, paragraph 7, where Enbridge notes that pursuant to section 15.1(1) of the *Statutory Powers Procedure Act*, "the tribunal may treat previously admitted evidence as if it had been admitted in a proceeding before the tribunal, if the parties to the proceeding consent.". Pollution Probe does not consent.

⁵ E.g. _EGI_Ltr_CostOBJ_20251127, pages 5 and 6.

⁶ _EGI_Ltr_CostOBJ_20251127, page 4, last paragraph.

discussions between intervenors is not always visible as part of the public record, it is clear that the OEB is aware that this occurs. That approach was applied to this proceeding.

As noted, Enbridge's letter misrepresents the participation of Pollution Probe, including in relation to the Pilot. As the OEB noted in Procedural Order No.1, the Pilot approach in this proceeding is to⁷:

- Coordinate and combine interrogatories into a single set of questions in order to avoid duplication. Note that whether a question is being asked by one or all of the grouped parties can be indicated, if desired.
- Coordinate questions at the technical conference and oral hearing by having one representative from the combined group take the lead on questioning for each issue, to the extent possible.
- Coordinate the filing of any expert evidence.

Pollution Probe activities related to these Pilot activities include:

- Coordination on interrogatories occurred between Pollution Probe and ED/GEC and is documented in Pollution Probe's Cost Claim. Pollution Probe immediately sent a coordination note the day Procedural Order No. 1 was issued, including laying out a proposed approach for coordination of interrogatories. Coordination continued with ED/GEC to develop a single set of questions in order to avoid duplication. A consolidated set of interrogatories on track to be filed with the OEB, but given Enbridge's request for abeyance and the ultimate change in procedure, the consolidated interrogatories became stranded.
- Pollution Probe and ED/GEC coordinated questions for the technical conference and Mr. Elson included all questions of common interest. This enabled Pollution Probe to reduce its focus on specific clarification questions and issues not identified by ED/GEC. The streamlined questions asked by Pollution Probe uncovered the fact that there was a Residential partnership agreement between Enbridge and the IESO for the HRS Program that has not been filed in the proceeding. The OEB ultimately determined that this Agreement was relevant for the proceeding and required that it be filed by Enbridge. Pollution Probe also only required minor clarifications related to industry coefficient of performance related to heat pumps, in accordance with normal practice related to stakeholder coordination. The coordinated approach applied by ED/GEC and Pollution Probe worked well and was efficient.
- Pollution Probe coordinated with ED/GEC and their proposed expert witness⁸ on common areas of interest. Pollution Probe did not propose a separate expert witness or the filing of any separate expert evidence.

⁷ po1_EGI 2026-2030 DSM_20250304, page 3.

⁸ Mr. Neme , per ED-GEC_Ltr_20250711

Enbridge suggests that there was no apparent coordination between ED/GEC and PP at the Technical Conference. This is simply not correct. Based on the coordination in advance, Pollution Probe estimated only 30 minutes for the full day Technical Conference and the overall time used was actually less than estimated. Enbridge did not verify the source documents that it is relying on to support its recommendations. For example, Enbridge identifies Pollution Probe's time allocation during the Technical Conference as reflected by pages 61 through 88 of the transcript⁹. Although this would only be a small portion of the 208 page transcript, Enbridge failed to exclude the time in that page range represented by Minogi/TFG and several pages of clarification and interjection questions from J. Sheppard and L. DeMarco. The time required by Pollution Probe is reasonable and was much less than it would have been without a focused and coordinated approach.

Enbridge suggests that Pollution Probe's contribution and recommendations was limited during the proceeding. Pollution Probe disagrees and believes that the OEB's Decision was fair, balanced and aligned with the issues and recommendations raised by Pollution Probe. Below is a short list of examples highlighting the alignment with Pollution Probe's participation and recommendations.

- Approval of the one-year DSM roll-over and leveraging the 2026 DSM deferral and variance account application process for review of actual DSM Plan results.
- The OEB Decision also notes that Enbridge shall explain all efforts it has made to improve the efficiency of the delivery of the 2026 Residential Program, via the 2026 DSM deferral and variance account application.
- The OEB Decision confirmed that Enbridge will file its 2027+ DSM Plan within 60 days of the OEB Decision¹⁰ (i.e. January 5, 2026). It was unclear when Pollution Probe submitted its argument on September 2, 2025 when the Decision would be issued, but the principle of a timely filing of the 2027+ Plan was added to Enbridge's Reply Argument and reinforced in the OEB Decision. This meets the intent of Pollution Probe's recommendation to ensure a timely filing of the 2027+ DSM Plan.
- The discovery of the Enbridge/IESO Residential Program Agreement was discovered through Pollution Probe questions during the Technical Conference. In accordance with Pollution Probe's request and in coordination with other intervenors, the OEB required the activities that resulted in Procedural Orders 6¹¹ and 7¹². Although Pollution Probe uncovered the existence of this relevant document during the Technical Conference, other parties supported and coordinated in the process which ultimately led to the OEB's consideration and Decision¹³.

⁹ Per _EGE_Ltr_CostOBJ_20251127 footnote 18.

¹⁰ EGI_REPLYSUB_20250912, paragraph 61.

¹¹ PO6_EGI_DSM Plan_20250818.

¹² Decision_Confidentiality_PO 7_ EGI DSM Plan_20250829.

¹³ Ibid.

- The OEB’s Decision notes “The OEB is mindful of concerns regarding the potential for biased or misleading communications related to cold climate air source heat pumps, and that Enbridge Gas’s communications to customers and program delivery agents may diminish the ability to reach the DSM program objectives. It is critical that performance and cost comparisons are based on accurate assumptions and data. This proceeding has not allowed for a detailed review of Enbridge Gas’s current practices. However, the OEB intends to do so as part of its review of Enbridge Gas’s multi-year DSM plan application.” (Decision page 14). This addresses concerns raised by Pollution Probe (in coordination with others) and sets a process to resolve them during the 2027+ DSM Plan.
- Based on the request in Pollution Probe’s submission, the OEB provided the required intervenor Pilot clarity in the OEB Decision and a follow-up Pilot email invitation was subsequently sent by OEB Staff following the Decision to collect feedback on the Pilot.
- OEB Decision direction for the 2027+ application that Enbridge include evidence on the how the economic cost of carbon should be reflected in the TRC-Plus test.
- OEB Decision direction for the 2027+ application that Enbridge include a stretch factor and details related to increased program efficiency, including achieving increased efficiency and cost-effectiveness through Enbridge Gas’s collaboration with the IESO.
- OEB Decision direction for the 2027+ application that Enbridge include a description of all cost and performance comparisons it intends to use in its communications and training materials, along with supporting evidence laying out all assumptions and data relied on to make those comparisons.

Although not part of Pollution Probe’s Cost Claim, Pollution Probe will briefly address Enbridge’s comments on the Pollution Probe letter of comment submitted November 5, 2025. As the OEB is aware, Pollution Probe coordinates efficiently with a large number of industry partners and service providers in Ontario. Much of this input is seamlessly included in Pollution Probe’s participation. The purpose of the November 5, 2025 letter was to bring forward a real concern from industry partners involved in delivery of energy efficiency services using these programs. Given that the one-year roll over application does not enable a detailed review of program terms and conditions, the letter only provided a synopsis of the concerns brought forward to Pollution Probe. Although the higher level Enbridge/IESO Partnership Agreement was identified and filed in this proceeding, Enbridge did not file detailed program materials being used by IESO and Enbridge. As outlined in the OEB’s Decision, these materials will be assessed in detail during the 2027+ DSM Plan review. The DSM Plan can include partnerships on programs beyond the residential sector and some of those partnerships may occur in 2026¹⁴. The detailed review as part of the 2027+ DSM Plan will help resolve this stakeholder concern and identify options to better communicate and train industry partners on what DSM fuel switching incentives can be applied to each sector. As always, Pollution Probe has offered to coordinate input from industry stakeholders into the DSM Plan, although we recognize that

¹⁴ For example the residential one-window IESO/Enbridge program began in 2025 and program partnerships for other sectors could begin in 2026.

consultation options may be limited based on the planned January 5, 2026 filing dated. Given the awareness of this concern, it provides support to include all the program terms and condition materials in the 2027+ DSM Plan application.

Pollution Probe reconfirms that it coordinated with ED/GEC efficiently in alignment with the Pilot tested in this proceeding. Pollution Probe also submits that there is no rational basis to dismiss Pollution Probe's Cost Claim or reducing it as proposed by Enbridge. It may be that Enbridge is attempting to use the cost claim process in this specific proceeding as a tactic to discourage active participation while attempting to penalize raising issues that are not aligned with Enbridge's interests. This is not a new tactic for Enbridge and the OEB has dismissed this approach before¹⁵. Pollution Probe was approved by the OEB as an intervenor with a substantial interest in this proceeding. The scope and value of Pollution Probe's Cost Claim is well within a reasonable value expected for such an important proceeding that has spanned approximately one year. Despite the additional administrative coordination with ED/GEC, Pollution Probe's Cost Claim is at or below the average cost claim amount submitted by other intervenors in this proceeding¹⁶. Pollution Probe fully participated in all aspects of this proceeding and submits that all activities where costs have been claimed in this proceeding align with reasonable costs and we request that our Cost Claim be approved as filed.

Best Regards,

A handwritten signature in blue ink, appearing to read "Richard Carter".

Director, Energy
Pollution Probe

Cc: Enbridge Regulatory (via email)
Michael Brophy, Consultant (via email)

¹⁵ For example, EB-2023-0313, Decision and Order on Cost Awards, March 5, 2024, p. 3.

¹⁶ Even on a raw comparison of total costs per intervenor, Pollution Probe's Cost Claim is a reasonable. When comparison is done on an apples to apples basis Pollution Probe's Claim is below the peer average (e.g. excluding the OGVG and GEC low claim values for the reasons that they note).