

Elson Advocacy

December 3, 2025

Ritchie Murray
Registrar (Acting)
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario
M4P 1E4

Dear Mr. Murray:

**Re: Enbridge Gas 2026-2030 Demand Side Management Plan
EB-2024-0198**

I am writing on behalf of Environmental Defence Canada (“ED”) and the Green Energy Coalition (“GEC”) to respond to Enbridge’s challenge to their cost claims.

Enbridge does not challenge the quantum of the ED/GEC cost claims. Nor does it argue that their contribution was insufficient to justify the costs they incurred. However, Enbridge argues that their cost claims should be reduced due to insufficient coordination with Pollution Probe (“PP”). Enbridge’s arguments are entirely unfounded.

Extensive coordination

Contrary to Enbridge’s allegations, there was extensive coordination between ED, GEC, and PP.

ED and GEC essentially incurred the costs of one party by completely combining their work on all aspects of this matter.

There was also extensive collaboration between ED/GEC and PP. With respect to interrogatories, the representatives for ED/GEC exchanged extensive correspondence and met to coordinate. We ultimately decided that we would coordinate by having ED/GEC prepare a set of interrogatories approximately one week before the deadline. PP would then be able to review those interrogatories. ED/GEC worked hard to prepare a complete set of interrogatories well before the deadline for doing so in order to allow for coordination.

With respect to the technical conference, the representatives for ED/GEC conferred over email with PP to ensure effective coordination. For instance, ED/GEC listed the topics that they intended to cover (see attached) to allow a discussion to avoid overlap. ED/GEC also went first in the order as we were asking more detailed questions. Although PP asked several follow-up questions on the same topics, that is often the case at technical conferences. In many cases,

follow-up questions from different intervenors elicit additional information that is helpful for the OEB.

Compliance with Procedural Order #1

Enbridge asserts that ED/GEC breached *Procedural Order #1* by failing to include sufficient details in their cost claim covering letters regarding collaboration. This is incorrect. Enbridge cites page 3 of *Procedural Order #1*, which includes only the following relevant sentence: “If the requested coordination is not possible for any reason, the OEB expects that parties will provide an explanation at the cost award stage.” ED/GEC fully complied with *Procedural Order #1*. No explanation was required as the requested coordination was possible.

Additional coordination would not have lowered costs

Enbridge’s submissions imply that coordination necessarily results in fewer intervenor costs. That is not the case. In this proceeding, coordination resulted in materially greater costs for ED/GEC. As noted above, ED/GEC prepared a complete set of interrogatories on the multi-year application in order to allow time for PP to prepare its interrogatories without duplication. This meant that we had to advance the interrogatory drafting process earlier. Had we not done so, much of this work would have been avoided due to the timing of Enbridge’s request for an abeyance.

In addition, coordination takes time and effort. Additional coordination would have only served to increase costs as there were no issues that ED/GEC addressed in interrogatories or the technical conference that it could have ceded to another party to pursue while adequately representing ED/GEC’s interests.

Distinct interests

Enbridge criticizes the OEB’s decision to approve “all three organizations as distinct intervenors for the proceeding without referring to any specific differences among each organization’s main interests.”¹ This is an inappropriate collateral attack on the OEB’s earlier decision and should not be considered at this stage. In addition, Enbridge’s comments assume that environmental organizations are homogenous, share identical interests and perspectives, and will retain representatives that will take the same approaches to regulatory proceedings. That is certainly not the case.

Conclusion

The intervention of ED/GEC contributed to the OEB’s decision in this proceeding. For instance, the OEB relied on the continued cost-effectiveness of the programs under the Program Administrator Test (the “PAC”) when approving the 2026 rollover, the evidence of which was obtained by ED/GEC. In addition, for the reasons outlined above, Enbridge’s challenges of the

¹ Enbridge objection letter, p. 6.

ED/GEC cost claims are without merit. As such, we ask that ED and GEC's cost claims be approved in full.

Yours truly,

A handwritten signature in blue ink, appearing to read 'K. Elson', written in a cursive style.

Kent Elson

cc: Parties in the above proceeding

DSM Plan - Coordination

1 message

Kent Elson <kent@elsonadvocacy.ca>

Mon, Jul 21, 2025 at 2:42 PM

To: Mike Brophy <michael.brophy@rogers.com>

Hi Mike,

We plan to focus our technical conference questions exclusively on the cost-effectiveness of the residential program. We will ask questions along the lines of the topics noted in our evidence letter, which I have pasted below for ease of reference:

1. Whether a societal cost of carbon should be used (Procedural Order #2 indicated that: "In preparing evidence relating to the Government of Canada's removal of the consumer fuel charge, Enbridge Gas shall include to what extent the social cost of carbon should be considered, if at all, and discuss any considerations related to the cost of carbon Enbridge Gas has given to determining what value or benefit will be achieved by the proposed DSM measures." Enbridge is presumably planning to file that evidence as part of the 2027 plan.);
2. Whether 4% is the appropriate discount rate;
3. The appropriateness of heat pump equipment cost assumptions (a modest change in those assumptions would make the large majority of the forecast heat pump installations cost-effective);
4. The appropriateness of heat pump efficiency and performance assumptions (including the seasonal coefficient of performance, the modelled peak demand in summer and winter, the electric design day assumptions, the impact of control settings, etc.);
5. The appropriateness of the avoided cost figures, including a new approach to electric avoided costs and future gas prices;
6. Whether additional non-energy benefits should be included for air-source heat pumps due to the benefit of securing cooling or securing improved cooling;
7. Whether free-ridership could be reduced by increasing incentives;
8. Whether instant rebates and streamlined processes could be used to reduce promotional costs, reduce administrative costs, or increase uptake; and

Happy to discuss if you believe there may be overlap or if more discussion is needed for coordination purposes.

Best,

Kent

Kent Elson, LL.B.
Elson Advocacy
1062 College Street, Lower Suite
Toronto, Ontario M6H 1A9
tel.: 416-906-7305
fax: 416-763-5435