



DECISION AND ORDER

EB-2025-0124

REVIEW ON THE OEB'S OWN MOTION OF THE IRP PILOT PROJECT DECISION

BEFORE: **Fred Cass**
Presiding Commissioner

Allison Duff
Commissioner

Shahrzad Rahbar
Commissioner

Vinay Sharma
Commissioner

David Sword
Commissioner

December 11, 2025

1 OVERVIEW

The proceeding to review the March 27, 2025, EB-2022-0335 Decision and Order of the OEB regarding Enbridge Gas Inc's Integrated Resource Planning (IRP) Pilot Project, initiated on the OEB's own motion, will not proceed, as hearing the questions raised for review is not likely to result in the most just, expeditious and efficient determination of matters before the OEB.

2 CONTEXT AND PROCESS

The OEB initiated a review on its own motion (Review) to reconsider the March 27, 2025 Decision and Order on Enbridge Gas's IRP Pilot Project (EB-2022-0335). A review panel of five OEB commissioners - Fred Cass (presiding), Allison Duff, Shahrzad Rahbar, Vinay Sharma, and David Sword (Review Panel) – was assigned to hear and determine the Review.

2.1 IRP Pilot Project and IRP Pilot Project Decision

In 2021, the OEB established an Integrated Resource Planning (IRP) Framework to guide Enbridge Gas Inc. (Enbridge Gas) in considering IRP alternatives (IRPAs) to traditional pipeline infrastructure to meet its natural gas system needs.

In July 2023, Enbridge Gas applied for approval of two IRP pilot projects; one was later withdrawn, and the remaining pilot project scope and location was revised. The IRP Pilot project included four initiatives: enhanced targeted energy efficiency measures via demand side management programs, demand response programming, limited electrification offerings, and advanced technology offerings totaling a proposed budget of \$14.2 million.

In its IRP Pilot Project Decision, the OEB approved the modified IRP Pilot Project but denied funding for gas-fired technologies as these alternatives were found to be inconsistent with the purpose of IRP which is to reduce reliance on gas infrastructure when economic alternatives exist. Instead, \$1.5 million of the proposed IRP pilot funding was ordered to be reallocated to support limited electrification measures such as cold climate air source heat pumps, ground source heat pumps, and potentially other technologies such as combined water/space heating systems.

2.2 Review Notice

On the same day that the IRP Pilot Project Decision was issued, the OEB issued a Notice of Review on the OEB's own motion to reconsider the IRP Pilot Project Decision (Review Notice). The Review Notice identified three questions:

- 1. By requiring the use of electricity-based IRPAs and/or excluding funding for gas-fired technologies, did the Decision alter the IRP Framework improperly, without notice to parties or providing them a full opportunity to address the issue during the hearing?*

2. *Was there sufficient evidence to support the categorical exclusion of funding for gas-fired technologies in the IRP Pilot?*
3. *In assessing the cost-effectiveness of electric heat pumps versus gas-fired heat pumps—which formed part of the rationale for denying gas-fired heat pump funding—was there sufficient evidence of, and did the Decision adequately consider, the potential cost of any required electricity system upgrades?*

After the Review Notice was issued, the OEB received unsolicited letters regarding the Review. Some of these letters commented on and made suggestions regarding the scope of the Review. In Procedural Order No.1, issued October 6, 2025, the Review Panel confirmed that the scope of the Review will not be expanded beyond what was outlined in the Review Notice¹. The Review is therefore narrowly focused on the exclusion of gas equipment and the associated \$1.5 million reallocation from gas-based technologies to electrification measures.

2.3 Preliminary Question

In Procedural Order No.1, the Review Panel invited parties and OEB staff to make submissions on the following preliminary question:

Is there still merit in proceeding with the Review and addressing the three questions posed in the Review Notice?

Parties and OEB staff were also specifically invited to address in their submissions whether continuing with the Review to determine the three questions posed in the Review Notice would result in the most just, expeditious, and efficient determination of matters before the OEB. Procedural Order No. 1 noted both the significant passage of time since the Review Notice was filed, as well as the fact that those three questions appear to be predicated on issues that can be or will be addressed in other ongoing OEB proceedings, most of which were initiated after the Notice of Review was issued. The Procedural Order also stated that further procedural steps, if any, would be determined following a review of submissions on the preliminary question.

The OEB received six submissions from five parties and OEB staff:

- Building Owners and Managers Association Toronto (BOMA)
- Enbridge Gas
- Environmental Defence

¹ EB-2025-0124, Procedural Order No. 1, pp. 2-3.

- Pollution Probe
- School Energy Coalition (SEC)
- OEB staff

All parties except Enbridge Gas submitted that the Review is no longer necessary. Enbridge Gas argued that the Review should proceed. OEB staff did not take an explicit position but supported the Review Panel's efforts to identify the most efficient and effective path forward, noting that the IRP Framework Review consultation under EB-2025-0125 is better placed to deal with issues surrounding the use of electrical IRP alternatives and how gas-fired innovative technologies should be treated. This was a common theme in the submissions of many parties.

Other reasons cited by parties in support of their position that the Review should not proceed included:

- Grounds for Review not met – several parties were of the opinion that the IRP Pilot Project Decision was made following appropriate adjudicative procedures and was supported by evidence and arguments in the proceeding.
- Further delays to the IRP Pilot Project – several parties emphasized the need to proceed with the IRP Pilot Project as soon as possible to generate learnings.
- Overlap with other proceedings - at least some of the issues in the Review overlap with issues being considered by the OEB in other proceedings, such as the IRP Framework Review consultation.

Enbridge Gas, however, maintained that the Review is appropriate and necessary for several reasons, including the need for a focused review to directly address the role of gas-fired technologies. Enbridge Gas also noted procedural and evidentiary concerns, arguing that, by excluding gas-based technologies, the IRP Pilot Project Decision conflicts with the intent of IRP and is inconsistent with Ontario government policy.

2.4 Findings on Preliminary Question

The Review Panel has determined that the hearing of the Review will not proceed.

It is the view of the Review Panel that hearing the Review is not likely to result in the most just, expeditious and efficient determination of matters before the OEB.

In Procedural Order No.1, the OEB clarified that the scope of the Review would not be expanded beyond the three questions identified in the Review Notice and that the

Review is narrowly focused on the exclusion of gas equipment from the IRP Pilot and the associated approximately \$1.5 million reallocation from gas-based technologies to electrification measures.

All submissions filed by parties other than Enbridge Gas pursuant to Procedural Order No. 1 supported dismissal of the Review. OEB staff took no specific position on whether the Review should continue; however, it supported any consideration of the most efficient and cost-effective path for addressing the issues underlying the three questions outlined in the Review Notice. BOMA, Environmental Defence, Pollution Probe, and SEC each provided overlapping (though also in some cases different) reasons why a dismissal would be the most just, expeditious and efficient determination. Several parties noted that it would be inefficient and potentially confusing to consider questions through the Review that are similar to issues that will also be considered in different OEB proceedings, such as the IRP Framework Review consultation. The OEB considers these to be valid considerations in determining what is the most efficient and cost-effective path.

Enbridge Gas acknowledged that the role of electrification and electricity-based IRPAs within the IRP Framework is “expressly within the scope” of another OEB proceeding, namely, the IRP Framework Review consultation. Further, Enbridge Gas accepted that parts of questions 1 and 3 in the Review Notice are likely to be addressed through the IRP Framework Review consultation, but raised an issue about whether the outcomes of the IRP Framework Review will supersede the IRP Pilot Project Decision.².

Accordingly, the Enbridge Gas submissions do not unequivocally support a conclusion that proceeding on the basis of the three-question framework set out in the Review Notice will result in the most just, expeditious and efficient determination of matters before the OEB.

Enbridge Gas indicated, however, that it is not only appropriate but necessary to proceed with “the main parts” of the Review. Enbridge Gas argued that there was merit to proceeding with the Review, as there was no current OEB proceeding where the role of gas-fired technologies in the IRP Framework is squarely in issue.

The Review Panel’s view is that it is preferable that the matters of importance to Enbridge Gas be considered in the context of a broader review of IRP policies, or in a

² Enbridge Gas Response to Preliminary Question, October 27, 2025, pp. 7-8.

separately filed motion, than in the context of the narrow Review specific to the IRP Pilot Project.

The Review Panel notes that while the full scope of the IRP Framework Review is yet to be determined, stakeholder consultations have already begun. On October 6, 2025, OEB staff released a discussion paper on the IRP Framework Review that covers a wide range of issues. Interested parties had the opportunity to comment and propose issues to be addressed in the IRP Framework Review, including the inter-relation of matters.

Moreover, the IRP Framework Review would accord opportunity to undertake a broad review of issues including the elimination of the Federal consumer carbon charge, thus offering a more appropriate forum in which to evaluate gas-fired technologies as well as the questions raised in the Review Notice.

In assessing what is just, expeditious and efficient, the Review Panel has considered the defined scope of the Review and the scope of issues being raised in the IRP Framework Review – both concurrent matters before the OEB. The Review Panel agrees with submissions that proceeding with the Review may result in confusion, scheduling delays, duplicative efforts and indeed may create a risk that the two proceedings would be in conflict with each other.

In these circumstances, the Review Panel sees merit in discontinuing the Review.

It does not necessarily follow, however, that a different motion for review of the IRP Pilot Project Decision would be without merit. In its response to the preliminary question, Enbridge Gas listed a number of arguments that it would advance in “the Review Motion”³. The Review Panel observes that some of those arguments are outside the scope of the three questions in the Review Notice. For example, the OEB finds that Ontario government energy policy is beyond the scope of the three questions at issue for this Review.

In the OEB’s Rules of Practice and Procedure, there is no rule to prohibit or restrict multiple motions for review of the same decision filed by different parties. While the Review Panel sees merit in discontinuing the Review, this conclusion does not necessarily extend to a different review motion filed by a different party.

³ Enbridge Gas Response to Preliminary Question, October 27, 2025, pp. 1-2.

Procedural Order No. 1 stated that, given the unique circumstances of this proceeding, if someone were to file a motion to review in respect of the IRP Pilot Project Decision, it would be reasonable for the OEB to consider starting the 20-day period for the filing of such a motion on the day when the decision on the Review is rendered. In accordance with this provision of Procedural Order No. 1, the 20-day period may be considered to start from the issuance date of this Decision and Order, being December 11, 2025.

Given the circumstances of this review, the OEB will use its operating budget to reimburse cost eligible parties for their reasonably incurred costs. Parties should file their cost claims in accordance with the OEB's Practice Direction on Cost Awards in the normal course.

3 ORDER

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The proceeding to review the March 27, 2025, EB-2022-0335 Decision and Order by the OEB regarding Enbridge Gas Inc's Integrated Resource Planning (IRP) Pilot Project, initiated on the OEB's own motion, will not proceed.
2. Parties shall file with the OEB their respective cost claims, if any, by January 9, 2026.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2025-0124** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information.

All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Stephanie Cheng at stephanie.cheng@oeb.ca and OEB Counsel, Michael Millar at michael.millar@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto December 11, 2025

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar