

Mr. Ritchie Murray
Acting Registrar
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

February 3, 2026

**EB-2025-0064 Enbridge Gas Inc. Rebasing Application Phase 3
Comments on Environmental Defence Evidence Request**

Dear Mr. Murray:

Pollution Probe is in receipt of the Environmental Defence (ED) request dated January 28, 2026 related to expert evidence and the Enbridge Gas (Enbridge) response dated February 2, 2026. This request pertains to Issue 13d on the Ontario Energy Board (OEB) approved Issues List. This is a long-standing issue that was specifically identified to be part of the Rebasing proceeding and ultimately referred to Phase 3. This issue is part of Phase 3 due to OEB considerations in earlier phases of the Rebasing proceeding, and also to help resolve long standing issues that have been identified by stakeholders and the OEB¹.

As part of the Phase 1 Rebasing, the OEB directed Enbridge to undertake a review of its energy comparison information and to make the required updates². The Rebasing Phase 1 OEB Order³ required Enbridge to undertake the updates and file information as part of the Rebasing Phase 2 proceeding. Issue 24 of the Phase 2 proceeding⁴ indicated “Has Enbridge Gas appropriately reviewed the energy comparison information in its informational and marketing materials, and taken appropriate actions based on its review?”⁵. The OEB approved Phase 2 settlement⁶ provided Enbridge additional time to conduct the review, update and file the related materials. Enbridge agreed to halt the use of such materials and file the existing updated information in this Phase 3 proceeding⁷.

Enbridge suggests that it is too late for the OEB to consider ED’s request related to Issue 13d in the Phase 3 proceeding. Pollution Probe disagrees with that assessment, particularly given that the OEB has yet to determine the hearing process and timing related to the issues that were outside the scope of the settlement conference (including Issue 13d). OEB consideration of Issue 13d has been on hold pending the extended settlement process on other issues, which just recently resulted in a settlement proposal being filed with the OEB for consideration. The only portion of the proceeding that has occurred related to Issue 13d is the interrogatory and technical conference process, where Enbridge refused to provide

¹ For example, the OEB Decisions for EB-2023-0200, EB-2023-0201 and EB-2023-0261 where it was noted that these ongoing issues were being considered as part of the Rebasing proceeding.

² EB-2022-0200 dec_order_EGI_2024 Rebasing_Phase I_20231221, page 47.

³ EB-2022-0200 Rebasing Phase 1 OEB Order, item 9d.

⁴ EB-2024-0111.

⁵ EB-2024-0111 dec_Issues List_PO 2_EGI Rebasing_Ph 2_20240530.

⁶ EB-2024-0111 dec_order_Sett_Prop_EGI_2024_Rates_Ph2_20241129.

⁷ Ibid, Issue 24.

important information and materials related to Issue 13d. There is a pending Pollution Probe Motion which is intended to ensure that the relevant information and materials are filed by Enbridge. Consideration of those materials could not occur to this point because Enbridge has refused to provide them.

Pollution Probe believes that the ED request is reasonable, appropriate and would add value to the OEB's consideration of the information that Enbridge was ordered to file. In Pollution Probe's opinion, the best time for ED to undertake and file a third-party expert review is following the OEB's consideration of the pending Pollution Probe Motion, which is intended to ensure that Enbridge has filed its complete set of information and materials requested. A third-party expert review of those materials would help ensure that they represent fair, accurate and objective information, or what inaccuracies still remain.

Respectfully submitted on behalf of Pollution Probe.



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