



Enbridge Gas Inc.

**Motion to Review Decision on Integrated Resource Planning
Pilot Project**

**DECISION ON THRESHOLD QUESTION AND
PROCEDURAL ORDER NO. 2**

March 24, 2026

BEFORE: James Sidlofsky
Presiding Commissioner

In 2021, the Ontario Energy Board established an Integrated Resource Planning Framework¹ to guide Enbridge Gas Inc. in considering Integrated Resource Planning alternatives to traditional pipeline infrastructure for meeting its natural gas system needs.

In July 2023, Enbridge Gas Inc. applied to the Ontario Energy Board for a Decision and Order seeking approval of two Integrated Resource Planning pilot projects, and their respective cost consequences.² One project was later withdrawn, and the location of the remaining proposed pilot, referred to here as the Southern Lake Huron Integrated Resource Planning pilot, was modified.

In its March 27, 2025 Decision (the Decision), the Ontario Energy Board approved the Southern Lake Huron Integrated Resource Planning pilot with certain modifications. Specifically, the Ontario Energy Board did not approve funding for incentives related to natural gas equipment, finding that such incentives were inconsistent with the purpose of Integrated Resource Planning, which has, as part of its objectives, the avoidance of natural gas infrastructure where there are economic alternatives.

¹ [EB-2020-0091](#), July 22, 2021, p.97 or Appendix A

² Ontario Energy Board File No. EB-2022-0335

Instead, the Ontario Energy Board ordered that \$1.5 million be reallocated to support Limited Electrification Measures, including cold climate Air Source Heat Pumps, Ground Source Heat Pumps, and potentially other technologies such as combined water/space heating systems.

On March 27, 2025, the Ontario Energy Board initiated its own motion to review the Decision. On December 11, 2025, the Ontario Energy Board determined that this review would not proceed as hearing the questions raised for review was not likely to result in the most just, expeditious, and efficient determination of matters before the Ontario Energy Board.³

On December 22, 2025, Enbridge Gas Inc. filed a notice of motion to review the Decision. In its notice of motion, Enbridge Gas Inc. also requested a stay of specific portions of the Decision until the completion of the review.

Under Rule 43 of the Ontario Energy Board's [Rules of Practice and Procedure](#) (Rules), prior to proceeding to hear a motion to review on its merits, the Review Panel may determine a threshold question of whether the motion raises relevant issues material enough to warrant a review of the decision or order on the merits. The Ontario Energy Board determined that, before considering the merits of Enbridge Gas Inc.'s motion, it would consider arguments, in writing, on the threshold question.

For the reasons set out below, the Ontario Energy Board has determined that the motion meets the threshold test – the motion raises relevant issues material enough to warrant a review of the decision on the merits. In the 'Order' section of this Decision and Procedural Order, the Ontario Energy Board has set out a schedule for written submissions from intervenors and Ontario Energy Board staff and a reply submission from Enbridge Gas Inc. on the merits of the motion.

The Ontario Energy Board emphasizes that its determination that the motion has met the threshold test is not to be considered a determination on the merits of the motion. A determination on the merits will only follow the Ontario Energy Board's consideration of the parties' and Ontario Energy Board staff's submissions on the merits.

The Ontario Energy Board will stay portions of the Decision relating to the three "Review Issues" identified by Enbridge Gas Inc. in paragraph 28 of its notice of motion, pending the determination of the motion on its merits. However, the Ontario Energy Board has a number of comments on the scope of the stay in its findings, below.

³ [EB-2025-0124](#), December 11, 2025, p.4

CONTEXT AND PROCESS

On December 22, 2025, Enbridge Gas Inc. (Enbridge Gas) filed a notice of motion to review (referred to here as the Review, or the motion) the Decision and Order in EB-2022-0335, issued on March 27, 2025 (the Decision).

Rule 43.01 provides that the Ontario Energy Board (OEB) may, prior to hearing a motion to review on the merits, consider the “threshold question of whether the motion raises relevant issues material enough to warrant a review of the decision or order on the merits.” This may be done with or without a hearing. The Rule goes on to state that:

Considerations may include:

- (a) whether any alleged errors are in fact errors (as opposed to a disagreement regarding the weight the OEB applied to particular facts or how it exercised its discretion);
- (b) whether any new facts, if proven, could reasonably have been placed on the record in the proceeding to which the motion relates;
- (c) whether any new facts relating to a change in circumstances were within the control of the moving party;
- (d) whether any alleged errors, or new facts, if proven, could reasonably be expected to result in a material change to the decision or order;
- (e) whether the moving party’s interests are materially harmed by the decision and order sufficient to warrant a full review on the merits; and
- (f) where the grounds of the motion relate to a question of law or jurisdiction that is subject to appeal to the Divisional Court under section 33 of the OEB Act, whether the question of law or jurisdiction that is raised as a ground for the motion was raised in the proceeding to which the motion relates and was considered in that proceeding.

On February 6, 2026, the OEB issued Procedural Order No. 1 in which it approved all parties of record in EB-2022-0335 as parties in this proceeding. The intervenors granted cost eligibility status in EB-2022-0335 were also deemed eligible to apply for an award of costs for their participation in the Review. The approved intervenors are:

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association (BOMA)
- Consumers Council of Canada (CCC)
- Environmental Defence
- Federation of Rental-housing Providers of Ontario (FRPO)

- Independent Electricity System Operator (IESO)
- Ontario Greenhouse Vegetable Growers (OGVG)
- Pollution Probe
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

Procedural Order No. 1 noted that Enbridge Gas had requested a review and variance of three portions of the Decision (the Review Issues):

- **Review Issue #1:** The finding that the OEB will not approve an Integrated Resource Planning (IRP) pilot project that includes incentives for advanced gas technologies.
- **Review Issue #2:** The direction that Enbridge Gas reallocate the portion of the IRP pilot project budget related to the denied advanced gas technologies to electrification measures.
- **Review Issue #3:** The direction that Enbridge Gas must consult with the OEB's IRP Technical Working Group on a potential second IRP pilot that explores creative solutions that go beyond current demand side management offerings, including a number of proposed measures such as alternatives to new connections.

In Procedural Order No. 1, the OEB invited submissions from parties on the threshold question: that is, whether the Review raises relevant issues material enough to warrant a review of the Decision on the merits, in accordance with Rule 43.

SEC, Pollution Probe, BOMA, and Environmental Defence filed written submissions with the OEB on February 24, 2026. Enbridge Gas filed its reply submission on March 10, 2026. No other submissions were filed.

DECISION ON THE THRESHOLD QUESTION

Enbridge Gas alleges seven errors. According to Enbridge Gas, the Decision:

- 1) goes beyond the issues in the Southern Lake Huron (SLH) IRP Pilot Project proceeding;
- 2) is not supported by the evidence;
- 3) is procedurally unfair;
- 4) exceeds the OEB's jurisdiction;
- 5) is inconsistent with Ontario energy policy;
- 6) does not align with the IRP Framework Review, and
- 7) conflicts with the intent of IRP.

In Procedural Order No. 1, the OEB invited submissions from parties on the following threshold question:

Does the notice of motion to review filed by Enbridge Gas raise relevant issues material enough to warrant a review of the Decision on the merits, in accordance with Rule 43 of the OEB's [Rules of Practice and Procedure](#)?

The following summarizes the positions of SEC, BOMA, Pollution Probe, Environmental Defence, and Enbridge Gas as they relate to the threshold question.

SEC submitted that the threshold question should be answered in the affirmative, as Enbridge Gas has raised issues that are both relevant and material and which call into question the correctness of the Decision.

SEC submits that most of these grounds do not meet the threshold test, including those related to scope, procedural fairness, jurisdiction, Ontario energy policy, and inclusion of electrification, all of which SEC considers legally and procedurally sound. However, SEC agrees that the threshold test is met on a narrow set of issues – specifically, whether the evidentiary record supports the conclusion that advanced gas technologies cannot defer facilities; and whether the Decision may reasonably be perceived as departing from the intent of IRP.

As it relates to the evidentiary record and the appropriateness to conclude that advanced gas technologies cannot defer facilities, SEC submitted that Enbridge Gas has raised potential errors in the Decision. In support of this, SEC noted that it is legitimate to consider that if better natural gas equipment can indeed defer facilities, then it should be considered as part of IRP. Furthermore, SEC submitted that there are

reasonable questions as to whether the evidence in the EB-2022-0335 proceeding was sufficient to conclude that better natural gas cannot be used to defer facilities.

As it relates to whether the Decision may reasonably be perceived as departing from the intent of IRP, SEC also submitted that Enbridge Gas has raised potential errors. SEC noted Enbridge Gas's position that the Decision is unduly influenced by environmental impacts of natural gas use. SEC stated that it did not interpret the Decision in the same way. However, SEC noted that it understood Enbridge Gas's perception, and as a result, SEC submitted that it is legitimate to have this aspect of the Decision reviewed.

SEC also submitted that while these issues raise legitimate questions for review, the review is not productive and expressed its view that the Decision will ultimately be confirmed. SEC further noted that the issues that Enbridge Gas seeks to raise are being fully considered in the OEB's IRP Framework Review and that the reasons provided by the OEB in its decision on the first Motion to Review under EB-2022-0335 continue to apply.

Finally, SEC submitted that the scope of the review should be limited to items where there are questions as to errors in the Decision, and a determination on the implementation of the IRP pilot should be delayed until the later of the decision on this review motion, and the completion of the IRP Framework Review.

BOMA submitted that it does not believe that the Review raises relevant material issues to warrant a review of the Decision. BOMA noted that it does not believe that the Decision was made in error. BOMA submitted that the evidence in the proceeding that led to the Decision demonstrated that electrification IRP measures are more cost effective than natural gas IRP measures. Finally, BOMA noted that proceeding with the review will create uncertainties and further delays to Enbridge Gas's first IRP pilot and the design of a potential second IRP pilot.

Pollution Probe submitted that the IRP pilot is a learning opportunity based in innovative approaches, as it relates to Review Issues #1 and #2. Further, Pollution Probe noted that the evidence reviewed in the IRP pilot proceeding and the Decision aligns with innovative technologies and would avoid locking in long-term natural gas usage. Pollution Probe also submitted that consideration of enabling IRP funding to support natural gas technologies is more appropriately aligned with considerations of the OEB's IRP Framework Review.

Pollution Probe also submitted that Enbridge Gas's request does not appear to meet the threshold test under Rule 43 on the matter of removing or correcting the broader statements related to electrification in the Decision and Review Issue #3. Pollution

Probe noted that a detailed review or rehearing related to these two matters will not have an impact on executing the requirements of the Decision.

Environmental Defence submitted that the Review does not meet the threshold question, as the Decision imposed no material harm to Enbridge Gas's interests even if the errors alleged are assumed to have occurred, nor did the OEB err in the Decision. Environmental Defence submitted that any issues with lasting IRP impacts will be determined in the IRP Framework consultation process, the Decision is not binding on future OEB Panels, and the issues specific to the IRP pilot are moot as the pilot is proceeding and involves sums that are immaterial to Enbridge Gas's overall budget.

Environmental Defence also submitted that the OEB did not err in relation to Review Issues #1 and #2, as there was clear evidence that electric IRP measures were more cost-effective than gas IRP measures. Environmental Defence noted that the cost of peak demand reductions is key in the context of IRP, and as such the Decision is the correct one. Finally, Environmental Defence submitted that Enbridge Gas did not identify any potential errors in relation to the Review Issue #3.

In its reply submission, Enbridge Gas submitted that the Review raises relevant issues that, if proven, could reasonably be expected to result in a material change to the Decision. Further, Enbridge Gas requested that the OEB determine that the Review has passed the threshold question. As it relates to the submissions of intervenors, Enbridge Gas noted that they largely bypass the threshold question and instead focus on defending the Decision on its merits. Enbridge Gas submitted that this conflates the threshold question with a merits determination and does not respond to the test set out in Rule 43.

Enbridge Gas also responded to intervenor submissions related to the role of the OEB's IRP Framework Review as it relates to the Review Issues, the practical effects of the Decision, and the alleged delays and inefficiencies that the Review may have on the IRP pilot. Finally, Enbridge Gas submitted that SEC's request to pre-limit the Review by excluding certain grounds is both procedurally premature under Rule 43 and would require an artificial dissection of the Decision that is unworkable.

Findings

- **The Threshold Question**

As noted above, Enbridge Gas submits that there are seven grounds for the review and variance of the Decision. At this point, the OEB does not need to determine whether the Decision should be varied; rather, the issue here is whether the motion raises relevant issues material enough to warrant a review of the decision or order on the merits. If so,

the OEB will move on to a consideration of the merits and will establish a process for doing so. The OEB agrees with Enbridge Gas that “[t]he threshold inquiry does not require the Review Panel to determine whether the alleged errors will ultimately be proven, but only whether they could reasonably be expected to result in a material change to the decision under review if they are ultimately proven after a hearing on the merits.”⁴

The Review Panel finds that the motion meets the threshold.

In the Decision, the OEB discussed the evolution of the treatment of electrification solutions in IRP, from the exclusion of those solutions from the IRP Framework (with an acknowledgment that this could evolve as energy planning evolves) to the inclusion of incentives for electric equipment for space heating and water heating in Enbridge Gas’s 2023-2025 DSM plan (the OEB observed that “DSM has always been a part of the IRP Framework, and now electric solutions are part of DSM”). The OEB went on to note that gas absorption heat pumps were expressly excluded from the current DSM plan, and found that:

“Consistent with that decision, the OEB will not approve an IRP pilot project that includes incentives for gas equipment. The inclusion of incentives for gas equipment is entirely inconsistent with the purpose of:

- IRP, which has as its objective the avoidance of gas infrastructure where there are economic alternatives, and
- DSM, which has as its objective the reduction of the utilization of gas through various efficiency and conservation measures.

Incentives for gas equipment continue the need for gas infrastructure and utilization of gas, rather than reducing it.”

The first of the errors alleged by Enbridge Gas is that the Decision goes beyond the issues in the SLH IRP pilot proceeding. Enbridge Gas states, in part, that:

“Up until the Decision, there was no OEB requirement that IRPAs must not include natural gas end-use equipment. Whether natural gas end-use equipment should be an approved technology for IRP Plans was not an issue in the proceeding. The question for the proceeding was whether testing of these advanced technology IRPAs should occur to better understand their impact on reducing system peak load. It was neither appropriate nor within the scope of this

⁴ EB-2025-0333, Enbridge Gas Reply Submission on Threshold Question, March 10, 2026, p. 2

proceeding to conclude that natural gas end-use equipment cannot be used to defer or avoid natural gas facility projects.”

The OEB agrees with SEC that on the question of appropriateness, EGI has raised a potential error in the Decision, and that “one can legitimately ask whether, if better natural gas equipment can indeed defer facilities, it should be considered as part of IRP.” The OEB also agrees with SEC that “[t]here are reasonable questions as to whether the evidence in the proceeding was sufficient to conclude that better natural gas equipment cannot (as opposed to should not) be used to defer facilities.”

The OEB accepts that the concerns raised by Enbridge Gas about the original panel’s findings should be heard on the merits. They include alleged errors that Enbridge Gas claims were material. To be clear, at this threshold stage, the Review Panel makes no findings on whether in fact the Decision included errors, or whether, in the absence of such alleged errors, the outcome on the SLH IRP pilot should have been different. Those are matters that can and should be addressed in a hearing on the merits. The Review Panel will therefore proceed to receive written submissions on the merits of Enbridge Gas’s motion.

The OEB will not limit the scope of the review on the merits, as suggested by SEC. Rather, the OEB will accept submissions on the seven alleged errors identified in the motion. The OEB does not wish to risk prejudging any of the grounds for the motion by attempting to parse them at this threshold stage.

The OEB has one final comment in this regard. In reviewing the intervenor submissions to date, it is clear that many of the comments speak to the merits of the motion. The OEB will not restrict intervenors from making further submissions on the merits, but the OEB trusts that they will supplement previous submissions and not merely repeat them. The OEB expects Enbridge Gas to consider all submissions on the merits, whether made in response to Procedural Order No. 1 or pursuant to this Decision and Procedural Order.

- **The Stay Request**

Among the items of relief requested by Enbridge Gas is “[a] stay of the Decision in relation to the Review Issues until the Review Motion is determined.” Rule 40.05 provides, in part, that “a motion brought under Rule 40.02 may also include a request to stay the implementation of the order or decision pending the determination of the motion.” The Review Issues are set out in part 2, above. The OEB understands the implication of the stay request to mean that:

- The possibility of Enbridge Gas including incentives for advanced gas technologies will remain open for the SLH pilot project, and Enbridge Gas is not required to re-allocate its proposed budgets for advanced gas technologies, pending the outcome of the motion. However, Enbridge Gas will also not implement incentives for advanced gas technologies pending the determination of the motion; and
- Enbridge Gas need not consult with the OEB’s IRP Technical Working Group on a potential second IRP pilot that explores creative solutions that go beyond current DSM offerings, including a number of proposed measures such as alternatives to new connections, pending the determination of the motion.

In support of its request, Enbridge Gas stated, in part:

“Without a stay, Enbridge Gas will be required to reallocate the simultaneous hybrid heating and natural gas heat pump budget for the SLH IRP Pilot Project to electrification measures, and the opportunity to implement, test and learn from these advanced gas technologies will be lost. Further, unless a stay is granted, time and effort will be expended on working with the IRP TWG on potential future IRP Pilot Projects, without having the guidance (and potential change in approach) that is expected to come from the IRP Framework Review. The balance of convenience favours granting a stay pending the determination of the Review Motion on its merits.⁵”

Enbridge Gas seeks the stay pending the determination of the motion, but its comment suggests that it considers the more appropriate duration of the stay to be until the conclusion of the IRP Framework Review. That is consistent with the SEC recommendation that “[t]he direction to develop a second pilot in conjunction with the

⁵ EB-2025-0333, Enbridge Gas Notice of Motion, December 22, 2025, p. 10, para. 29.

IRP Working Group should be stayed pending the conclusion of the IRP Framework Review.”⁶

At this time, the OEB will grant the stay pending the determination of this motion on the merits. The OEB agrees with Enbridge Gas that requiring the reallocation of funds from the simultaneous hybrid heating and natural gas heat pump budget to electrification measures, and requiring Enbridge Gas to proceed with IRP TWG on a second pilot project in advance of the determination on the merits, may render that eventual determination moot.

However, the OEB would welcome any further submissions parties may have on the appropriateness and, if applicable, the duration of any delay in implementation of the requirement to develop a second pilot beyond the decision on the merits.

Finally, the OEB notes that Enbridge Gas has emphasized in both its notice of motion and its reply that work on the SLH IRP pilot is ongoing. At paragraph 30 of its notice of motion, Enbridge Gas states:

“The requested stay will not impact the implementation of the other aspects of the SLH IRP Pilot Project. Enbridge Gas is taking active steps to implement the SLH IRP Pilot Project while this Review Motion is being considered, except for the directed reallocation of the portion of the \$1.5 million in the denied advanced gas technology funding to electrification measures or the implementation of thermal energy storage under the condition in the Decision that precludes natural gas.”

At paragraph 28 of its reply, Enbridge Gas states:

“The pilot project has not been delayed as a result of the review motion process. All offerings aside from the advanced gas technology measures at issue in the Review Motion are currently being implemented, including electrification measures at the limited participation levels proposed by Enbridge Gas in the application.”

The OEB trusts that this work (excluding the advanced gas technology measures at issue in the Review Motion) will continue.

⁶ EB-2025-0333, SEC submission on the threshold question, February 24, 2026, p. 5.

ORDER

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The OEB's Decision of March 27, 2025 in OEB File No. EB-2022-0335 is stayed in relation to the Review Issues identified in this Decision and Procedural Order until the current Review Motion is determined on its merits. Specifically:
 - a) Pending the outcome of the Review Motion, the possibility of Enbridge Gas including incentives for advanced gas technologies will remain open for the Southern Lake Huron pilot project, and Enbridge Gas is not required to re-allocate its proposed budgets for advanced gas technologies. However, Enbridge Gas will also not implement incentives for advanced gas technologies pending the determination of the Review Motion; and
 - b) Enbridge Gas need not consult with the OEB's IRP Technical Working Group on a potential second IRP pilot that explores creative solutions that go beyond current DSM offerings, including a number of proposed measures such as alternatives to new connections, pending the determination of the Review Motion.
2. All approved intervenors and OEB staff shall file with the OEB, copying all other parties, any written submissions on the merits of the Review Motion, and on the appropriateness and duration of any stay/delay in implementation of the requirement to develop a second pilot beyond the decision on the merits by, **April 2, 2026**.
3. Enbridge Gas Inc. shall file with the OEB, copying all other parties, any reply submission on the merits of the Review Motion, and on the appropriateness and duration of any stay/delay in implementation of the requirement to develop a second pilot beyond the decision on the merits by **April 10, 2026**.

DATED at Toronto March 24, 2026

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar