

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c.15, Schedule. B, as amended (the “**Act**”);

**AND IN THE MATTER OF** an application by Enbridge Gas  
Inc. for its 2027-2030 Natural Gas Demand Side  
Management Plan.

**EB-2025-0295**

**WRITTEN SUBMISSIONS OF**

**MINOGI CORP.**

**AND**

**THREE FIRES GROUP INC.**

**WHETHER A SOCIAL COST OF CARBON SHOULD BE ADDED TO  
THE ISSUES LIST**

**March 30, 2026**

## I. INTRODUCTION

1. We are counsel to Three Fires Group Inc. (“**TFG**”) and Minogi Corp. (“**MC**”) in the matter of the application of Enbridge Gas Inc. (the “**Applicant**”, “**EGI**” or “**Enbridge Gas**”) to the Ontario Energy Board (the “**OEB**” or the “**Board**”) for approval for an order or orders approving its 2027-2030 Demand Side Management (“**DSM**”) Plan (the “**DSM Plan**”).
2. TFG is an Indigenous business corporation that represents the interests of Chippewas of Kettle and Stony Point First Nation (“**CKSPFN**”). CKSPFN is located in southern Ontario along the shores of Lake Huron, 35 kilometres from Sarnia, Ontario, and has over 1,000 members who live on-reserve and 900 who live off-reserve.
3. MC is an Indigenous business corporation that represents the interests of Mississaugas of Scugog Island First Nation (“**MSIFN**”). The Mississaugas of MSIFN moved into southern Ontario and settled in the areas around Lake Scugog from their former homeland north of Lake Huron around 1700. MSIFN is located on Scugog Island in the Port Perry area of Durham Region, Ontario, and has close to 300 members. Minogi’s key focus areas on behalf of MSIFN are energy transition, clean energy investments, and advancing MSIFN’s rights to lands, waters, and resources. MSIFN’s treaty rights area includes generation facilities, transmission lines, electrical distribution systems, and major natural gas mainlines and distribution systems in the Lake Ontario Energy Corridor between the GTA/Pickering and Napanee. MSIFN considers the waters and lakebed of Lake Ontario in this corridor, and south to the U.S. border, to be unceded.

## II. OVERVIEW

4. MC and TFG’s brief submissions focus on the following issues:
  - (a) the OEB has jurisdiction to consider the social cost of carbon/greenhouse gases (“**GHGs**”) or an “economic cost” of carbon (together, the “**SC-GHG**”);
  - (b) consideration of the SC-GHG is entirely consistent with Government of Ontario policy, with which the OEB must comply; and
  - (c) the SC-GHG supports assessing and understanding the unique social, environmental, and economic impacts of increasing GHGs on Indigenous Communities and First Nations.

## III. SUBMISSIONS

### A. The OEB Has Jurisdiction to Consider the SC-GHG

5. The Act expressly requires the Board to be guided by the objective of promoting energy conservation and energy efficiency “in accordance with the policies of the Government of Ontario, including in regard to the consumer’s economic circumstances.”
6. This objective is not limited to short-term bill impacts. It necessarily encompasses broader economic considerations, including the long-term costs imposed on ratepayers and society arising from energy use choices supported by energy conservation and efficiency programs such as the DSM Plan.
7. MC and TFG have had the opportunity to review the submissions of other intervenors including the School Energy Coalition (“**SEC**”) Environmental Defence Canada and the Green Energy Coalition (“**ED**”), and Pollution Probe (“**PP**”). In support of efforts to increase regulatory efficiency and the cost-effectiveness of intervenor participation in regulatory proceedings, TFG and MC generally agree with and support the submissions of SEC, ED, and PP on the issue of the OEB’s jurisdiction, and have no further submissions on this issue.

## **B. The SC-GHG Is Not a Form of Carbon Pricing and Is Consistent with Government of Ontario Public Policy**

8. There is a clear distinction between the SC-GHG and carbon pricing systems. The Government of Canada defines the SC-GHG as “a measure of the incremental additional damages that are expected from a small increase in emissions of a given GHG (or conversely, the avoided damages from a decrease in emissions).”<sup>1</sup> The Government of Canada makes a clear distinction between the SC-GHG, which is a metric, and carbon pricing (such as a carbon tax, emissions performance standard, or cap-and-trade system), which is a policy.<sup>2</sup>
9. EGI, and OEB Staff, repeatedly conflate the use of the SC-GHG in cost-effectiveness testing with the implementation of a carbon pricing regime. This fundamentally misunderstands both carbon pricing systems, such as the Output-Based Pricing System under the *Greenhouse Gas Pollution Pricing Act* and Ontario’s own carbon pricing system,<sup>3</sup> and the SC-GHG as a tool to holistically understand the social, environmental, and economic costs of GHGs to society, including EGI’s customers and Ontario ratepayers.
10. The distinction between the SC-GHG, as a metric, and carbon pricing systems, as a policy, is critical. As such, TFG and MC strongly disagree with the suggestion that the [Protecting Against Carbon Taxes Act, 2024](#) (“**PACTA**”) is evidence of government policy against the use and consideration of the SC-GHG by the Board. PACTA

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<sup>1</sup> Canada, “[Social Cost of Greenhouse Gas Estimates – Interim Updated Guidance for the Government of Canada](#)”. (2023)

<sup>2</sup> *Ibid.*, section 4.1.

<sup>3</sup> See [O. Reg. 241/19: Greenhouse Gas Emissions Performance Standards](#).

exclusively applies to the establishment of a carbon pricing program that imposes a tax, fee, charge or other levy on GHG emissions. It is difficult to understand how an assessment metric such as the SC-GHG can be characterized as a carbon pricing program or system, as it is neither a tax, fee, charge, nor levy.

11. The SC-GHG does not: (i) impose any charge on consumers; (ii) appear on customer bills; and (iii) function as a pricing mechanism. Instead, the SC-GHG is an economic valuation tool used to quantify the real and measurable damages associated with GHG emissions. TFG and MC submit that its use in this proceeding would ensure that the OEB's decision-making reflects the full economic consequences of the energy choices of EGI and its customers as a result of any approvals of the DSM Plan.
12. TFG and MC note that Ontario government policy also clearly supports the goal of reducing GHG emissions and the integration of such reductions into energy system planning. For example, Ontario's integrated energy plan, *Energy for Generations* (the "IEP"), confirms that emissions reductions are a core policy objective as part of providing clean energy solutions to Ontario and North America.<sup>4</sup> The IEP also states that expanded electricity and natural gas efficiency programs are intended to save money and energy while also improving reliability and reducing emissions.<sup>5</sup>
13. Government of Ontario policy is not neutral on GHG emissions; it supports the expansion of energy efficiency programs, such as the DSM Plan, and explicitly links those programs to GHG emissions reductions.<sup>6</sup> The IEP further emphasizes the need to integrate emissions reduction objectives into energy planning and regulatory frameworks, and confirms that Ontario's energy system is being designed to be affordable, secure, reliable, and clean. Emissions reductions are clearly a key government policy embedded across infrastructure planning, energy planning, regulatory decision-making, and public investment.
14. TFG and MC also note that the Government of Ontario has expressly supported the economic valuation of emission reductions to assist businesses to meet environmental and sustainability goals and the monetization of same in the electricity sector through the province's Clean Energy Credit ("CEC") program pursuant to [O. Reg. 39/23: Clean Energy Credits](#). As part of the CEC program, the IESO was required to establish a system to quantify the environmental attributes of clean and zero-emission electricity and create tradable credits representing those attributes.
15. The CEC program reflects a deliberate policy choice to recognize and quantify the environmental and social benefits associated with emissions reductions through the switching to clean energy sources and enabling the associated environmental claims by the purchasers of CECs in Ontario.

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<sup>4</sup> Ontario, [Energy for Generations](#), (June 2025), p. 4.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*, p. 95

16. The above demonstrates that emissions reductions, and the economic valuation of such reductions, are a recognized and intended outcome of energy policy in Ontario, and quantifying the benefits of those reductions is consistent with, and supported by, broad and repeatedly expressed Ontario government policy.
17. TFG and MC therefore submit that the exclusion of the SC-GHG and the emissions impacts such a metric seeks to quantify from the Board's evaluation of the DSM Plan would be inconsistent with the Ontario government policy context within which the OEB is required to operate pursuant to the Act.

**C. Indigenous Communities and First Nations Experience Disproportionate Impacts Captured by the SC-GHG**

18. TFG and MC wish to express support for the use of the SC-GHG as an important tool for understanding the impacts of GHG emissions and climate change on Indigenous communities and First Nations in Ontario as part of the Board's role in advancing public policy and in its assessment of the effectiveness of the DSM Plan.
19. The SC-GHG is of specific importance to Indigenous communities and First Nations in Ontario, which uniquely and disproportionately experience the impacts of climate change caused by increased GHG emissions.
20. As the Ontario Court of Appeal ("**ONCA**") noted: "There is no dispute that global climate change is taking place and that human activities are the primary cause. The combustion of fossil fuels, like coal, natural gas and oil and its derivatives, releases GHGs into the atmosphere."<sup>7</sup> The result of the increase in GHG emissions is that climate change:

"is causing or exacerbating: increased frequency and severity of extreme weather events (including droughts, floods, wildfires and heat waves); degradation of soil and water resources; thawing of permafrost; rising sea levels; ocean acidification; decreased agricultural productivity and famine; species loss and extinction; and expansion of the ranges of life-threatening vector-borne diseases, such as Lyme disease and West Nile virus."<sup>8</sup>

21. Climate change and the increase of GHG emissions is, and will continue to have, significant impacts for Indigenous communities and First Nations. For example, the ONCA noted that climate change "has had a particularly serious impact on some Indigenous communities in Canada. The impact is greater in these communities

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<sup>7</sup> [\*Reference re Greenhouse Gas Pollution Pricing Act\*](#), 2019 ONCA 544, para 7. We note that these findings were largely affirmed by the majority opinion of the Supreme Court of Canada in [\*References re Greenhouse Gas Pollution Pricing Act\*](#), 2021 SCC 11, at paras 11-12, 187, 206.

<sup>8</sup> *Ibid.*, para 11.

because of the traditionally close relationship between Indigenous peoples and the land and waters on which they live.”<sup>9</sup>

22. It is the types of impacts identified by the ONCA, among others, that the SC-GHG seeks to assess and quantify so that policy makers and decision makers are better able to fully understand and evaluate the consequences, both economically and socially, of GHG emissions when developing policies and programs, such as DSM. Further, the SC-GHG is an important tool available to the Board when evaluating the effectiveness of such programs and policies in accordance with the rationale of broader government policy related to energy efficiency, clean energy, and emission reductions.
23. Accordingly, the SC-GHG has direct relevance to DSM evaluation as the economic consequences of GHG emissions-related harms are not evenly distributed throughout Ontario and as between EGI’s customers. Indigenous communities and First Nations experience disproportionate environmental and cultural impacts, increased vulnerability to climate-related disruptions, and heightened risks to traditional practices, food security, and community well-being. These all have significant economic impacts and on Indigenous and First Nations ratepayers beyond the simple evaluation of short-term bill impacts proposed by EGI in its submissions.
24. TFG and MC submit that given the OEB’s public interest mandate, it is appropriate that DSM evaluation recognize the existence of the environmental and social impacts of increasing GHG emissions, especially as they related to Indigenous communities and First Nations, and consider the extent to which DSM programs contribute to reducing them.
25. TFG and MC further submit that an assessment of DSM programs and the DSM Plan that excludes the SC-GHG and fails to evaluate these impacts would provide an incomplete assessment of the holistic cost-effectiveness of EGI’s proposed DSM planning and programs, especially as it related to the unique and disproportionate impacts on Indigenous communities and First Nations.

#### **D. Conclusion**

26. For the reasons set out above, TFG and MC submit:
  - (a) emissions reductions are an inherent and material outcome of DSM;
  - (b) the costs associated with GHG emissions are real, significant, and recognized by the courts in Ontario and Canada;

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<sup>9</sup> *Ibid.*, para 12.

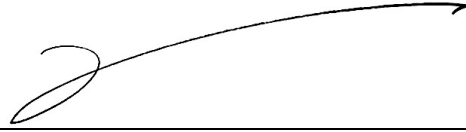
- (c) Ontario government policy supports both emissions reductions and the quantification of their benefits; and
- (d) emissions impacts have disproportionate effects on Indigenous communities and First Nations.

27. TFG and Minogi therefore submit that:

- (a) the consideration of emissions impacts through assessing the SC-GHG, including environmental and social costs and benefits, is within the OEB's jurisdiction; and
- (b) the issue of the SC-GHG should be included within the scope of this proceeding and reflected on the Issues List and/or subsumed under existing issue(s).

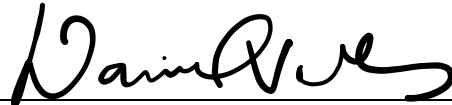
ALL OF WHICH IS RESPECTFULLY

SUBMITTED THIS 30<sup>th</sup> day of March, 2026



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