

May 29, 2026

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VIA RESS

Mr. Ritchie Murray, Registrar
ONTARIO ENERGY BOARD
P.O. Box 2319, 27th Floor
2300 Yonge Street
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Dear Mr. Murray:

Re: EB-2025-0064 – Enbridge Gas Inc. (EGI) Application for 2024 Cost of Service Rates; Phase 3

Industrial Gas Users Association (IGUA) Response to Cost Claim Comments

We write to respond to EGI's "observation" in respect of IGUA's cost claim in this matter.

In its May 22nd letter submissions on cost claims, EGI notes that IGUA's cost claim herein includes approximately \$66,000 worth of time for expert support from Dustin Madsen of Emrydia Consulting Corporation. EGI indicates that it is surprised by the amount of the cost claim as there was no evidence filed by Mr. Madsen, and "[t]he ultimate cost for background support provided by Mr. Madsen is higher than what was estimated for him to prepare evidence".

Nature of Mr. Madsen's Activities

In our letter of May 30, 2025, we explained that Mr. Madsen had been retained to assist IGUA with a review and analysis of EGI's proposals and the alternative scenarios presented. We noted that EGI had proposed an extensive rate harmonization, rate redesign and consequent new cost allocation, and that the evidence filed in support of EGI's proposals was extensive and included alternative scenarios. We elaborated that, as a first order of business, Mr. Madsen was analysing EGI's proposals from the perspective of customers taking service in the rate classes in which IGUA's members currently sit, and was assisting IGUA in understanding the practical and policy level rate-making trade offs and considerations inherent in EGI's single rate zone and rate class harmonization proposals, relative to the rate making alternatives. In short, Mr. Madsen was retained to provide IGUA with "a more complete understanding of EGI's proposal, and the rationales, pros and cons therefore from a customer perspective"¹. This is the work that Mr. Madsen completed, and in respect of which IGUA has claimed recovery of \$66,000.

¹ Our letter of May 30, 2025, page 2, 2nd full paragraph.

Our May, 2025 estimate of costs that could be entailed in the production by Mr. Madsen of evidence - \$55,000 – related to work that would have been incremental to the advisory role that Mr. Madsen had already been retained for. Of course, IGUA did not proceed to file evidence from Mr. Madsen. The estimate of the cost for such a filing has little relevance to the costs ultimately claimed for Mr. Madsen’s advisory work. The two categories of costs are distinct, and were always additive, as clearly explained in our initial letter² (emphasis added):

Set out below is our best estimate at this time of the costs that would be associated with preparation and presentation by Mr. Madsen of evidence, should IGUA determine to proceed with that. Not included in this estimate is time for assistance to counsel with discoveries, preparation of cross-examination, and support in preparation of argument. The costs for these supporting activities will be incurred regardless of whether Mr. Madsen is ultimately asked to provide evidence, and recovery of these supporting costs will be claimed in the normal course of the Board’s cost claim process.

Of course, supporting activities did not ultimately include assistance with preparation for cross-examination and argument. Rather Mr. Madsen continued to support IGUA through preparation for, and to some (albeit a lesser) extent during, the extensive settlement process that supplanted the hearing in this case, including in respect of analysis of the nature and impact of the rate harmonization proposal ultimately fashioned by the parties.

Overall Magnitude of Costs

The \$66,000 in costs claimed for Mr. Madsen equates to about 6% of the total intervenor costs claimed as listed in the table in EGI’s May 22nd, 2026 submission on intervenor costs. IGUA’s total cost claim equates to about 14% of total intervenor costs claimed. It is respectfully submitted that in the context of this singularly complex and data heavy proceeding these proportions are not on their face unreasonable.

It is further respectfully submitted that this claim should be considered in the context of IGUA’s longstanding history of responsible and measured participation in OEB proceedings. IGUA has always endeavoured to act responsibly in its work at the OEB, and the instant matter is no exception. This matter was particularly complex and protracted, with singular impact on customers, including IGUA’s members, for years to come. While we acknowledge that IGUA’s cost claim including the time spent by Mr. Madsen is the highest of all of the intervenors, as attested to on the OEB’s cost claim form, the writer did examine all of the documentation in support of the cost claim and is satisfied that the costs incurred and time spent were directly related to IGUA’s participation in this process. It is our further assessment that in the particular context of this case that time was also reasonably spent.

² Our May 30, 3035 letter, page 3, 2nd full paragraph.

We therefore request, on behalf of IGUA, that the Board accept the full amount of costs claimed by IGUA as appropriate for recovery in this instance.

Yours truly,



Ian A. Mondrow

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