



Ontario  
Energy  
Board

Commission  
de l'énergie  
de l'Ontario

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# **DECISION ON FILING INTERVENOR EVIDENCE AND PROCEDURAL ORDER NO. 4**

**EB-2025-0295**

## **ENBRIDGE GAS INC.**

**Application for Multi-Year Natural Gas Demand Side Management  
Plan (2027 to 2030)**

**BEFORE:** **Allison Duff**  
Presiding Commissioner

**James Sidlofsky**  
Commissioner

**David Sword**  
Commissioner

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**June 23, 2026**

# 1 OVERVIEW

Enbridge Gas Inc. (Enbridge Gas) filed a multi-year natural gas demand side management (DSM) plan application with the Ontario Energy Board (OEB) on December 18, 2025 under section 36(1) of the *Ontario Energy Board Act, 1998*, (OEB Act) seeking approval for a new natural gas DSM policy framework effective January 1, 2027 and approval of a new multi-year DSM plan, inclusive of budgets, programs and targets, from January 1, 2027 to December 31, 2030.

The OEB issued a Decision on Issues List and Procedural Order No. 3 on May 4, 2026, which approved the final Issues List and established several procedural steps, including the deadline for OEB staff and parties to file a letter with the OEB describing the nature of any proposed evidence. The following intervenors filed letters describing the nature of the evidence they proposed to file:

- Building Owners and Managers Association
- Environmental Defence and Green Energy Coalition
- Industrial Gas Users Association
- Small Business Utility Alliance

Enbridge Gas responded to these requests on May 19, 2026. OEB staff filed a letter of comment on May 26, 2026. Intervenors also filed reply comments on May 26, 2026.

The OEB approves the joint filing of expert evidence by Environmental Defence and Green Energy Coalition, and the filing of expert evidence by Small Business Utility Alliance, subject to some clarifications. The OEB approves of the filing of industry evidence by the Industrial Gas Users Association. The OEB does not approve of the filing of expert evidence as proposed by Building Owners and Managers Association. The OEB finds the procedural steps in Schedule A provide the opportunity for the Building Owners and Managers Association to achieve its objectives at less cost and enhanced procedural efficiency.

The OEB is establishing dates for a technical conference, the filing of intervenor evidence, an interrogatory process on the intervenor evidence, and a meeting for the Panel to meet with parties and discuss process, related issues and subsequent procedural steps.

OEB staff have drafted two illustrative, complete hearing schedules for all parties to consider (see Schedule A).

## 2 PROCESS

Enbridge Gas filed a multi-year natural gas demand side management (DSM) plan application with the OEB on December 18, 2025 under section 36(1) of the OEB Act seeking approval for a new natural gas DSM policy framework effective January 1, 2027 and approval of a new multi-year DSM plan, inclusive of budgets, programs and targets, from January 1, 2027 to December 31, 2030.

The OEB issued Procedural Order No. 1 on February 27, 2026 which, among other things, set out the schedule for establishing the issues list.

The OEB held an Issues Conference on March 12, 2026, during which parties provided oral submissions on proposed changes to the draft Issues List.

The OEB issued Procedural Order No. 2 on March 16, 2026, which set out the schedule for all parties to make written submissions on whether the consideration of a cost of carbon for DSM cost-effectiveness testing should be within the scope of this proceeding, and added it to the draft Issues List.

The OEB issued a Decision on Issues List and Procedural Order No. 3 on May 4, 2026, which approved the final Issues List and established several procedural steps, including the deadline for OEB staff and parties to file a letter with the OEB describing the nature of their proposed evidence.

On May 12, 2026, Building Owners and Managers Association (BOMA), Environmental Defence and Green Energy Coalition (GEC), Industrial Gas Users Association (IGUA), and the Small Business Utility Alliance (SBUA) filed letters describing the nature of the evidence they proposed to file.

Enbridge Gas responded to these requests on May 19, 2026. OEB staff filed a letter of comment on May 26, 2026. Intervenors filed reply comments on May 26, 2026.

### 3 DECISION ON PROPOSED INTERVENOR EVIDENCE

The OEB received four proposals for evidence. In deciding whether to permit intervenor evidence, the OEB considered whether the proposed evidence: (i) is relevant to issues on the approved Issues List; (ii) is likely to provide material, incremental assistance beyond the existing record (including the Stakeholder Advisory Group – referred to here as SAG – Report); (iii) is proportionate in scope and cost to the matters at issue; and (iv) will not duplicate other evidence or impair procedural efficiency.

Each evidence proposal will be addressed separately.

#### 3.1 Building Owners and Managers Association

BOMA proposed to file expert evidence in three areas, derived from publicly available energy use data, to provide insights into natural gas usage trends across commercial building segments. BOMA indicated its evidence will aim to inform and improve program design by pointing to subsectors of commercial building types with the greatest opportunities for savings relying on provincial benchmarking data.

BOMA indicated that evidence will show how expected gas savings levels can be higher through operational optimization measures that do not require significant cost increases, thereby improving the cost effectiveness of commercial sector DSM programs. The evidence will also point to the need for a program to reduce gas demand in new buildings incorporating verified results. BOMA proposed to retain Mr. Ian Jarvis and Mr. Marc Madi of Enerlife Consulting.

BOMA estimated a level of effort of up to \$50,000, including time required of counsel. The cost for interrogatory responses, a technical conference, and hearing will be in addition to that amount and have not been estimated at this time.

Enbridge Gas did not oppose BOMA's proposal. Enbridge Gas noted that the expert witness proposed by BOMA is Mr. Ian Jarvis, President and founder of Enerlife Consulting Inc. (Enerlife). Enerlife is a party to a Consulting Agreement with Enbridge Gas in respect to the Whole Building Pay For Performance Offering, currently being delivered in 2026 but not proposed to continue in Enbridge Gas's 2027-2030 DSM plan application.

Enbridge Gas indicated that Mr. Jarvis may have a commercial interest in the outcome of this proceeding and his proposed evidence.

OEB staff was of the view that the areas identified for BOMA's proposed evidence could be appropriately explored through the discovery process and addressed through argument, rather than as standalone expert evidence. OEB staff noted that while BOMA's proposed evidence may provide some informational context, the issues identified relate primarily to the evaluation of Enbridge Gas's proposed approach to commercial program delivery, implementation, and market engagement. OEB staff also noted Mr. Jarvis's commercial relationship with Enbridge Gas. OEB staff considered it relevant to the weight and scope of the proposed evidence, particularly where the evidence would assess or rely upon program results associated with the Whole Building Pay For Performance offer and lead to recommendations that could benefit the consultant's commercial interests.

BOMA responded indicating that Enerlife was selected to act on behalf of its members due to its longstanding experience and expertise in commercial building energy efficiency, decarbonization and applied research conducted for a wide range of clients. BOMA acknowledged Enerlife's ongoing commercial relationship with Enbridge Gas, but stated that this relationship does not create bias and will not affect the independence of the proposed evidence. BOMA further noted that it does not intend to take a position on the Pay For Performance offer in this proceeding, and will represent its members' interests across all aspects of the DSM plan application.

## Findings

The OEB denies the expert evidence proposed by BOMA. The OEB agrees with OEB staff that the objectives of BOMA's proposed evidence may be achieved through the interrogatory process and through submissions.

The OEB finds that BOMA's objectives, utilizing publicly available data, current industry trends and provincial benchmarking, may be met by testing Enbridge Gas's evidence through remaining discovery steps and at the oral hearing. As OEB staff explained, interrogatory responses could provide "informative context" for argument, and used to evaluate Enbridge Gas's proposed approach to commercial program delivery, implementation and market engagement, rather than through standalone expert evidence.

For example, BOMA may choose to rely on interrogatory responses, technical conference questions and cross examination during an oral hearing. Further, relevant publicly available data, industry trends and provincial benchmarking could be filed in advance, to obtain Enbridge Gas's responses regarding the use, or omission, in designing its commercial DSM program offerings.

This approach should assist BOMA in making recommendations to the OEB in its final submission.

The OEB reviewed the comments regarding Mr. Jarvis' commercial relationship with Enbridge Gas, including Enerlife's potential objectives, and its relationship to BOMA. These comments were a secondary consideration for the OEB. As BOMA's request to file expert evidence is denied, the comments related to Mr. Jarvis, the President and Founder of Enerlife, were not considered further.

The OEB has balanced fairness to BOMA and its ability to participate, with the regulatory efficiency of the proceeding given that ratepayers will fund the approved costs. Given the procedural steps available to BOMA to participate and the opportunity to achieve its objectives (see Schedule A), the OEB is not convinced that the cost of \$50,000 to file expert evidence, plus costs to file interrogatory responses, expert participation at a technical conference, and the counsel support costs, would be regulatory efficient.

### **3.2 Environmental Defence and Green Energy Coalition**

Environmental Defence and GEC filed a letter proposing to jointly commission expert evidence to file in this proceeding. Their letter stated that they propose to retain Mr. Chris Neme of the Energy Futures Group.

The letter indicated that the proposed evidence will assess Enbridge Gas's DSM plan and provide concrete recommendations. The review by Mr. Neme would be comprehensive, but limited to the issues set out in the final issues list and appropriately scoped to avoid undue duplication with the testimony of other experts. The letter indicated that at a high level, the proposed evidence will focus on:

- Cost-effectiveness (including potential recommendations to improve the overall cost-effectiveness of the programs)
- Gas savings levels (including potential recommendations on how to enhance targeted gas savings levels)
- Program design (including potential recommendations on how to improve program design, such as measure incentive levels, in support of DSM goals)

The letter also noted other potential areas to be explored, including: (a) whether Enbridge Gas's avoided cost assumptions are appropriate, including the assumptions on avoided transmission and distribution costs, (b) whether the discount rate is appropriate, (c) whether Enbridge Gas's proposed new opt-out process and criteria for large volume customers are appropriate, (d) whether customer access can be improved through instant rebate measures that do not require customers to cash-flow rebate

amounts, (e) consistency and coordination with Independent Electricity System Operator (IESO) programs, (f) whether greater emphasis should be placed on the Program Administrator Cost Test to ensure symmetrical treatment of costs and benefits and achieve greater consistency with IESO approaches, (g) whether Enbridge Gas's proposed shareholder incentives are appropriate, and (h) other topics captured by the issues list that arise based on a further review of Enbridge Gas's evidence and interrogatory responses.

Environmental Defence and GEC estimated that the proposed evidence will cost between \$70,000 and \$95,000 to prepare. The cost for interrogatory responses, a technical conference, and a hearing will be in addition to that amount. It was estimated that the incremental counsel costs required will be approximately \$6,500.

Enbridge Gas expressed its concern with what it believed is too broad a scope for the proposed evidence of Mr. Neme. It submitted that the proposed review is overly broad and could amount to an alternative DSM plan rather than evidence targeted to specific material issues, and that several topics (including program design and new opportunities) were already canvassed through the SAG process and therefore should not be subject to a subsequent review. Enbridge Gas also submitted that the proposal's reference to "other topics" is insufficiently defined for the OEB to assess relevance, scope, and the expert's qualifications across any additional issues. Additionally, Enbridge Gas requested that the OEB make it clear that expert evidence does not extend to proposing fundamental changes to the DSM Framework.

OEB staff supported the proposed evidence of Mr. Neme noting that it appears positioned to provide an appropriate level of incremental analysis over and above what is in the SAG Report now that Enbridge Gas's DSM plan is fully developed. OEB staff also noted that it was of the view that the proposed evidence appears proportional to Enbridge Gas's funding request.

Importantly, the SAG did not review or opine on the following matters, which OEB staff argued are central to the Panel's determination in this proceeding: final program design and delivery mechanisms; proposed budgets and portfolio trade-offs; gas savings targets; full cost-effectiveness results; and a final shareholder incentive proposal. Mr. Neme's proposed evidence would directly assess these elements and potentially provide valuable recommendations for parties and the Panel to consider.

OEB staff also highlighted developments since the SAG concluded, including the removal of the federal consumer carbon charge, the announcement of the Integrated Energy Plan and long-term electricity DSM plan, and Enbridge Gas making a significant reduction to the scope of its proposed multi-year DSM plan.

OEB staff recommended that the OEB accept Environmental Defence and GEC's evidence proposal provided that the evidence focuses on assessing Enbridge Gas's DSM plan as filed, avoids re-examining SAG discussions where no material new information is introduced, and clearly identifies the incremental value of the evidence relative to the SAG record.

Environmental Defence and GEC responded that Enbridge Gas's objections to their proposed expert evidence are based on a misunderstanding of the purpose and limitations of the SAG process. Environmental Defence and GEC submitted that the SAG did not review the DSM plan currently before the OEB, nor any final DSM plan, and that the SAG itself explicitly noted that its report should not be construed as opinions or recommendations on the specifics of Enbridge Gas's application. They argue that the SAG was intended to inform plan development prior to filing and does not replace the adjudicative role of the OEB or the need for expert evidence at the hearing stage, particularly where SAG recommendations were not adopted.

Environmental Defence and GEC further submitted that their evidence proposal is neither vague nor overly broad, noting that it identifies three core areas of focus and several specific topics, consistent with the requirements of Procedural Order No. 3. They explain that reference to "other topics" is limited to matters arising from the issues list and from the review of Enbridge Gas's evidence and interrogatory responses, which reflects the practical reality that new issues may emerge as a proceeding unfolds. Environmental Defence and GEC argue that restricting expert evidence solely to matters not discussed by the SAG would be unworkable and could effectively preclude expert evidence on most issues.

Finally, Environmental Defence and GEC oppose Enbridge Gas's request that expert evidence be expressly restricted from addressing potential changes to the DSM Framework. While not anticipating proposing fundamental framework changes in this proceeding, Environmental Defence and GEC submit that such restrictions would be premature and inconsistent with how DSM policy has historically evolved in Ontario, noting that the OEB has frequently directed more substantive changes to be explored in future proceedings where appropriate.

## Findings

The OEB approves the filing of expert evidence by Environmental Defence and GEC; however, the OEB has a few comments regarding the evidence as proposed.

Mr. Neme is the proposed expert to file the evidence. Mr. Neme's previous work as a member of the SAG was raised by parties as a concern. The OEB refers parties to its *Rules of Practice and Procedure* (Rules) for guidance. Rule 13A.02 indicates that "An

expert shall assist the OEB impartially by giving evidence that is fair and objective”. Further Rule 13A.06 requires that “A party that engages an expert shall ensure that the expert is made aware of, and has agreed to accept, the responsibilities that are or may be imposed on the expert as set out in this Rule 13A and Form A”.

The OEB will not restrict the proposed expert evidence of Mr. Neme as suggested by Enbridge Gas, on the basis of his previous work with the SAG, or his work with Environmental Defence and GEC. The OEB agrees with the statement in Environmental Defence and GEC’s letter that the SAG reports do not displace the need for expert evidence in this proceeding addressing new program offerings. The OEB finds that the purpose of the SAG, as approved in the EB-2021-0002 Decision and Order, was to provide feedback for Enbridge Gas to consider in relation to its next multi-year DSM plan application, which is the application under consideration in the current proceeding.

The OEB also agrees with OEB staff that the proposed evidence appears to focus on specific proposals in the current 2027-2030 Plan that were not available for consideration by the SAG when the last report was filed in October 2024 based on evidence filed in the 2026 rollover proceeding.<sup>1</sup>

The OEB’s Rules are clear. Rule 13A.02 indicates that an expert shall assist the OEB impartially by giving evidence that is fair and objective. Rule 13A.06 provides that “[a] party that engages an expert shall ensure that the expert is made aware of, and has agreed to accept, the responsibilities that are or may be imposed on the expert as set out in this Rule 13A and Form A.” Mr. Neme will be bound by the terms of Form A once signed.

The cost estimate to prepare and file the expert evidence is between \$70,000 to \$95,000, plus a potential \$30,000 subsequent procedural steps and \$6,500 in incremental counsel cost. The OEB appreciates the need for a cost estimate range as this early stage in the proceeding before interrogatories are filed and further technical conferences are scheduled.

Mr. Neme should review the OEB’s approval of expert evidence to be filed by SBUA (see below). As SBUA’s evidence should be narrowly focused on Enbridge Gas’s small and microbusiness offerings, Mr. Neme should ensure his evidence does not focus on this sub-segment to avoid potential duplication in this regard.

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<sup>1</sup> EB-2025-0295, Exhibit C, Tab 1, Schedule 4, Attachment 1, p. 80.

### 3.3 Industrial Gas Users Association

IGUA indicated it may file non-expert evidence in support of Enbridge Gas's proposed Large Volume opt-out program after reviewing Enbridge Gas's interrogatory responses. IGUA stated that should it proceed with such evidence, no expert costs will be incurred and that incremental IGUA counsel time, related to the interrogatory process on such evidence, and in-person witness appearances (if required), would not materially exceed \$15,000.

Enbridge Gas did not oppose IGUA providing evidence, but it expressed concern about the timing of the filing of IGUA's evidence and suggested that the OEB decide on all intervenor evidence requests at the same time.

Similarly, OEB staff noted that IGUA is in a unique position as it was identified by the OEB in the 2023 DSM Decision to work directly with Enbridge Gas on a large-volume opt-out program and the SAG could not provide any feedback on the opt-out program as it was not available for review. OEB staff suggested that timing concerns could be addressed by having all approved evidence requests filed at the same time.

IGUA responded to these letters clarifying that its initial letter was its request for approval to file evidence and that, if approval is granted and it elects to file evidence after reviewing Enbridge Gas's interrogatory responses, it will do so on the same schedule as other intervenor evidence.

### Findings

The OEB approves IGUA's conditional proposal to file industry evidence on Enbridge Gas's opt-out proposal. IGUA's proposal is described as conditional, as IGUA has not yet determined whether it will file evidence. The OEB also accepts IGUA's offer to file such evidence on the same day as another other intervenor filing evidence. The OEB finds the cost estimate of \$15,000 (or 40 hours) reasonable for the associated incremental counsel time, with no expert costs expected.

The OEB finds IGUA's proposal responsive to an OEB suggestion in a prior DSM decision that indicated:<sup>2</sup>

The OEB encourages IGUA to canvass its members with the expectation that better evidence, including the number of IGUA members that either do or do not support the continuation of the Large Volume program, can be considered by the OEB as part of Enbridge Gas's next DSM plan application.

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<sup>2</sup> EB-2021-0002, Decision and Order, November 15, 2022, pp. 43-33

The OEB regards IGUA proposed evidence as “industry evidence” as distinct from expert evidence. IGUA’s proposed evidence would be based on member input, as customers of Enbridge Gas, who may be subject to the opt-out framework proposal included in the Large Volume Scorecard identified in Issue 12e, if approved by the OEB.

The OEB approves the filing of IGUA’s evidence on the same day as other intervenors, if such evidence is to be filed, as it is responsive to a prior OEB suggestion and enables parties more time to consider industry input from customers.

### **3.4 Small Business Utility Alliance**

SBUA filed a letter and indicated that it proposes to retain Mr. Francis Wyatt and Mr. Theodore Love of Green Energy Economics Group, Inc. and submit evidence that will examine multiple areas of Enbridge Gas’s proposed DSM plan, including a distinct focus on assessing how the proposed plan addresses key issues to small and microbusinesses. SBUA noted the significance of this, as it is the first time Enbridge Gas has introduced a specific small and microbusiness offer.

SBUA noted that the proposed evidence would review the proposed DSM plan to assess how it responds to unique economic circumstances of small businesses and addresses key barriers, how it compares with other jurisdictions, the appropriateness of gas savings and shareholder incentives in Enbridge Gas’s scorecards, cost-effectiveness, alignment with electrification measures and any stakeholder plan specific to small businesses.

SBUA estimated that the cost of preparing evidence would be between \$40,000 and \$70,000. SBUA noted some uncertainties for preparation and time and estimated that the additional expert costs associated with responding to interrogatories, preparing for and attending a technical conference, and preparing for and attending the oral hearing. SBUA further estimated an incremental \$6,500 in counsel costs associated with the proposed expert evidence.

Enbridge Gas responded noting that SBUA has identified many topics and issues which were considered by the SAG. Additionally, Enbridge Gas noted that one of the proposed experts, Mr. Wyatt, was a member of the SAG. Enbridge Gas reiterated its request that the OEB limit the scope of intervenor expert evidence such that it excludes issues that were addressed by the SAG.

OEB staff supported narrowly scoped and cost-constrained evidence that focuses specifically on Enbridge Gas’s proposal as filed; avoids re-examining SAG discussions where no new, material information is introduced; and limits the budget to a maximum of \$50,000 which would be proportional to other proposed intervenor costs and the

proposed budget of the Microbusiness offer (which is a 4-year total of \$1.4 million or approximately \$0.35M/yr).

SBUA responded stating that the OEB should reject Enbridge Gas's request to limit the proposed evidence to issues not dealt with by the SAG as its request is unreasonable and reflects a misunderstanding of the SAG's role. SBUA noted that the SAG was advisory in nature and did not review the final DSM plan, finalized budgets, savings forecasts, or cost-effectiveness results, with the SAG itself acknowledging limitations in the feedback it could provide due to time and information constraints. As a result, SBUA argued that the SAG report cannot be treated as an endorsement of Enbridge Gas's proposed DSM plan or as a substitute for expert evidence during adjudication.

SBUA further submits that now that a complete DSM application has been filed, it is appropriate and helpful for the OEB to receive expert evidence assessing the specific details of the plan, particularly given the introduction of a new small and microbusiness offering. SBUA noted that it represents a constituency that extends beyond potential participants in the proposed microbusiness offering which is restricted to businesses operating out of previously residential buildings, to small employer businesses and its evidence will also touch on broader issues related to other business offerings that affect small and microbusiness participation and savings.

## Findings

The OEB approves the filing of expert evidence by the SBUA, provided it is narrowly focused on Enbridge Gas's small and microbusiness offerings. With this clarification, the OEB strives to ensure that SBUA's expert evidence will not be duplicative of the joint expert evidence filed by Environmental Defence and GEC. Given the counsel representing these three intervenors is the same, the OEB expects this can be coordinated.

The OEB will not restrict the evidence of Mr. Wyatt and Mr. Love based on any prior work with SAG. Consistent with the OEB's findings regarding Mr. Neme's evidence, the OEB finds that the SAG report does not displace the need for expert evidence in this proceeding addressing Enbridge Gas's proposed program offerings.

The OEB cautions SBUA regarding its cost estimate of \$50,000 given the narrow focus on one sub-segment of Enbridge Gas's commercial customer offerings. A point of comparison is the cost estimate of \$70,000 to \$95,000 for the evidence filed by Environmental Defence and GEC which proposes to address cost effectiveness, gas saving levels and program design potentially applicable to all DSM customer groups including residential, income qualified, commercial, industrial and large volume.

Final determination on the amount of eligible costs will not be made until the end of the proceeding. Some intervenors provided estimates of potential costs in addition to their estimate for the preparation of the expert evidence. Other intervenors stated that there would be incremental costs but that these were difficult to estimate. In either case, it is incumbent on every intervenor to ensure that costs are reasonably incurred. Eligibility to apply for cost recovery does not guarantee recovery of any costs claimed. Parties are advised that they must notify the OEB as soon as possible if they become aware that the cost to produce the expert evidence will be greater than the estimate provided.

## 4 PROCEDURAL CONSIDERATIONS

### 4.1 Interrogatory Responses – Confidentiality Request

Enbridge Gas filed its interrogatory responses on June 18, 2026, and requested confidential treatment of certain information included in the responses. Also, Enbridge Gas requests that some information related to the IESO is not relevant and should be removed from the record in the proceeding. The OEB is establishing dates for objections to both types of redaction requests.

Enbridge Gas noted that, similar to the 2026 DSM plan rollover proceeding, it has requested confidential treatment of the Collaboration and Cooperation Agreement between it and the IESO for the Home Renovation Savings (HRS) Program. Enbridge Gas stated that the proposed redactions in the current filing are identical to those previously approved by the OEB.<sup>3</sup> Enbridge Gas has identified other information as confidential including billing rates and/or unit pricing of a third party, and insurance limits. Enbridge Gas stated these represent commercial information that, if disclosed, would be prejudicial to the parties in future negotiations with commercial partners in competitive bidding processes.

Enbridge Gas indicated that the IESO has requested that a subset of interrogatory responses related to the IESO's administrative costs, including incentive amounts for the HRS Program, be redacted. The IESO stated that this information is not relevant.<sup>4</sup> The IESO indicated that should the OEB determine that this information is relevant, it should be treated as confidential.

The process for objections to confidentiality requests is set out in section 5.1 of the OEB's *Practice Direction on Confidential Filings* (Practice Direction). The Practice Direction establishes timelines for the filing of objections and replies. With respect to information that a party has redacted because it asserts that it is not relevant, the Practice Direction contemplates that the OEB "will review the confidential, un-redacted version of the document to confirm that the redacted information is not relevant. If the OEB determines that the redacted information is relevant, any claims of personal information or confidentiality that have been asserted over the same information will be considered before ordering the information be filed on the public record or disclosed to another party."<sup>5</sup>

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<sup>3</sup> EB-2024-0198, OEB Decision on Confidentiality, August 29, 2025

<sup>4</sup> EB-2025-0295, Exhibit I.C-STAFF-16 Attachment 2, page 1

<sup>5</sup> *Practice Direction on Confidentiality*, ss.11.1.3, 11.1.4

Notwithstanding the Practice Direction's timelines, the OEB is establishing a process with more time for submissions on both types of proposed redactions in this proceeding.

Parties wishing to access the information that is subject to the Enbridge Gas confidentiality request (with the exception of the information Enbridge Gas asserts is irrelevant) must sign the OEB's form of Declaration and Undertaking with respect to confidentiality<sup>6</sup> and file it with the OEB. With respect to the redactions related to alleged irrelevance, intervenors will not have access to the material, but are to make any submissions on relevance (and, in the alternative, confidentiality) based on the description of the information contained in Enbridge Gas's cover letter to its interrogatory responses.

## 4.2 Proceeding Process

The OEB is establishing procedural dates for a technical conference related to Enbridge Gas's pre-filed evidence, the filing of intervenor evidence and an interrogatory process related to intervenor evidence. Those steps establish dates until August 5, 2026.

The OEB is scheduling a meeting on **August 11, 2026**, to be facilitated by the Panel and open to all parties to this proceeding. At that juncture, the meeting's objective is for the Panel to engage with parties, hear suggestions and schedule the remaining procedural steps. The meeting will be conducted in-person with an option for virtual participation. No transcript will be available to parties afterward.

Enbridge Gas has indicated that it will begin notifying customers and industry partners that, effective December 1, 2026, it will not be accepting new program participants until an OEB decision is issued.

To improve regulatory certainty for all parties and stakeholders, an illustrative hearing schedule with process timelines subsequent to August 11, 2026, is included in Schedule A. Based on this illustrative schedule, an OEB decision could be issued in late-2026 or early-2027. A decision issuance date is dependent on a number of considerations:

- Should the OEB establish dates for a second technical conference focused on the intervenor evidence?
- When will Enbridge Gas know whether it will file reply evidence?
- While no settlement conference is planned, would there be value in parties meeting, without the Panel, to resolve a subset of issues?
- Is there a subset of key issues that should be heard orally, while others addressed in a written process?

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<sup>6</sup> Available at [https://oeb.ca/sites/default/files/Form-of-Declaration-and-Undertaking\\_20211217.pdf](https://oeb.ca/sites/default/files/Form-of-Declaration-and-Undertaking_20211217.pdf)

- What criteria should the Panel apply in deciding which issues should be heard orally or in writing?
- Are any other matters that may assist the OEB and/or parties in the just and expeditious disposition of the hearing?

To support this August 11, 2026 discussion, any parties wishing to make a procedural suggestion shall file a letter to the OEB by **August 4, 2026**. The letter should include a brief explanation of why the party believes its proposal is appropriate.

The OEB is making provision for the following procedural steps related to this proceeding. Further procedural orders may be issued by the OEB.

## 5 ORDER

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors who wish to make written submissions on the redaction requests shall file submissions with the OEB and send them to all parties by **Monday, June 29, 2026**.
2. If Enbridge Gas Inc. wishes to respond to any of the submissions on the redaction requests, its reply submission must be filed with the OEB and sent to all parties by **Friday, July 3, 2026**.
3. A transcribed, virtual technical conference related to Enbridge Gas Inc.'s pre-filed evidence and interrogatory responses will be convened on **Wednesday, July 8, 2026**, starting at 9:30 a.m. If necessary, the technical conference will continue on **July 9-10, 2026**. Information on virtual participation will be communicated to parties later.
4. Enbridge Gas shall file any undertakings and exhibits from the technical conference with the OEB and send them to all parties by **Friday, July 17, 2026**.
5. Intervenors approved to file evidence shall do so on or before **Wednesday, July 22, 2026**.
6. Parties seeking additional information on the intervenor evidence shall file written interrogatories with the OEB and send them to all parties by **Wednesday, July 29, 2026**.
7. Complete written interrogatory responses regarding intervenor evidence shall be filed with the OEB and sent to all parties by **Wednesday, August 5, 2026**.
8. Parties may file letters related to procedural considerations with the OEB and send them to all parties on or before **Tuesday, August 4, 2026**.
9. A procedural meeting to discuss process related issues and subsequent procedural steps is scheduled for **Tuesday, August 11, 2026**. The hybrid meeting will begin at 9:30 a.m. in the North Hearing Room on the 25<sup>th</sup> Floor at the OEB's office at 2300 Yonge St., Toronto, ON. The OEB will provide further details regarding virtual participation in this meeting.

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-2025-0295** 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](mailto: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 at the address below 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, Michael Bell at [Michael.Bell@oeb.ca](mailto:Michael.Bell@oeb.ca) and OEB Counsel, Raman Dhillon at [Raman.Dhillon@oeb.ca](mailto:Raman.Dhillon@oeb.ca).

**DATED** at Toronto, **June 23, 2026**

**ONTARIO ENERGY BOARD**

Ritchie Murray  
Registrar

**Schedule A**

**Illustrative Procedural Timelines**

**Enbridge Gas Inc.**

**EB-2025-0295**

**Decision on Evidence and Procedural Order No. 4**

**June 23, 2026**

Schedule A - Illustrative Procedural Timelines

| Stage                      | Procedural Steps                                                              | Planned Dates |
|----------------------------|-------------------------------------------------------------------------------|---------------|
| PO4 & Decision on Evidence | OEB issued Decision on Evidence and Procedural Order No. 4                    | 23-Jun-26     |
| Discovery                  | Intervenors and OEB staff file interrogatories                                | 21-May-26     |
|                            | Applicants file responses to interrogatories                                  | 18-Jun-26     |
|                            | Intervenors and OEB staff file written comments on confidentiality requests   | 29-Jun-26     |
|                            | Applicant reply comments on confidentiality requests                          | 3-Jul-26      |
|                            | OEB Decision on Confidentiality                                               | 7-Jul-26      |
|                            | Technical Conference begins                                                   | 8-Jul-26      |
|                            | Technical Conference ends (3 days)                                            | 10-Jul-26     |
|                            | Undertakings filed                                                            | 17-Jul-26     |
| Intervenor Evidence        | Intervenors file evidence                                                     | 22-Jul-26     |
|                            | Applicants file interrogatories on Intervenor evidence                        | 29-Jul-26     |
|                            | Interrogatory responses on Intervenor evidence                                | 5-Aug-26      |
| Procedural Meeting         | Parties to file letters with any procedural recommendations                   | 4-Aug-26      |
|                            | OEB to convene a meeting with all parties to discuss practical process issues | 11-Aug-26     |

| Scenario 1 - No EGI Reply Evidence |                                            |           | Scenario 2 - EGI Reply Evidence                  |                                                          |           |
|------------------------------------|--------------------------------------------|-----------|--------------------------------------------------|----------------------------------------------------------|-----------|
| Scenario 1 - No EGI Reply Evidence | N/A                                        |           | Scenario 2 - EGI Reply Evidence                  | Applicant files evidence in reply to Intervenor evidence | 19-Aug-26 |
|                                    |                                            |           |                                                  | Interrogatories on EGI reply evidence                    | 26-Aug-26 |
|                                    |                                            |           |                                                  | Interrogatory responses on EGI reply evidence            | 2-Sep-26  |
| Oral Hearing                       | Oral Hearing begins (5 days)               | 24-Aug-26 | Oral Hearing                                     | Oral Hearing begins (5 days)                             | 9-Sep-26  |
|                                    | Oral Hearing Ends                          | 28-Aug-26 |                                                  | Oral Hearing Ends                                        | 15-Sep-26 |
|                                    | Undertakings from Oral Hearing Filed       | 9-Sep-26  |                                                  | Undertakings from Oral Hearing Filed                     | 22-Sep-26 |
| Argument                           | Argument-in-chief filed                    | 18-Sep-26 | Argument                                         | Argument-in-chief filed                                  | 2-Oct-26  |
|                                    | Intervenor and OEB staff Submissions filed | 9-Oct-26  |                                                  | Intervenor and OEB staff Submissions filed               | 23-Oct-26 |
|                                    | Reply Argument Filed                       | 23-Oct-26 |                                                  | Reply Argument Filed                                     | 6-Nov-26  |
| Decision                           | OEB Issues Decision and Order              | 17-Dec-26 | Holiday Time-out (Dec. 19, 2026 to Jan. 3, 2027) |                                                          |           |
|                                    |                                            |           | Decision                                         | OEB Issues Decision and Order                            | 14-Jan-26 |