Ontario Energy Board | Commission de l'énergie de l'Ontario

BY EMAIL

June 24, 2026

Ritchie Murray
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ritchie Murray:

Re: Enbridge Gas Inc.
2027-2030 Demand Side Management Plan Application
Ontario Energy Board (OEB) File Number: EB-2025-0295

As directed in the Decision on Filing Intervenor Evidence and Procedural Order No. 4, please find OEB staff's comments on Enbridge Gas Inc.'s request for confidential treatment of certain interrogatory responses filed on June 18, 2026.

Any questions relating to this letter should be directed to Michael Bell at michael.bell@oeb.ca or at 416-440-7688. The OEB's toll-free number is 1-888-632-6273.

Yours truly,

Michael Bell
Digitally signed by Michael Bell
Date: 2026.06.24 17:02:10 -04'00'

Michael Bell
Sr. Advisor, Efficiency & Demand Management

c. All Parties in EB-2025-0295

Ontario

ONTARIO ENERGY BOARD

OEB Staff Submission on Enbridge Gas Inc.'s Confidentiality Requests

2027-2030 DSM Plan

Enbridge Gas Inc.

EB-2025-0295

June 24, 2026

Enbridge Gas Inc. (Enbridge Gas) filed its interrogatory responses on June 18, 2026, and requested confidential treatment of certain responses.

In summary, OEB staff supports Enbridge Gas's requests for confidential treatment in respect of the Home Renovation Savings (HRS) Agreement provisions previously approved in EB-2024-0198, the consultant pricing information in the First Tracks and Ipsos attachments, and the insurance limits in the Direct Install Agreement.

OEB staff does not support the request to redact the Independent Electricity System Operator (IESO) incentive cost information in Exhibit I.C-STAFF-16 Attachment 2 on the basis of non-relevance. Should the OEB find that the information is relevant, OEB staff does not support the alternative request for confidential treatment.

In assessing the requests, OEB staff has considered the Practice Direction on Confidential Filings, including the principle that information filed in an OEB proceeding should generally be placed on the public record unless a party demonstrates that confidential treatment is warranted. OEB staff has also considered that redactions on the basis of non-relevance under Part 11 are distinct from requests for confidential treatment under Part 5.

OEB staff has summarized each of the requests below and provided submissions for each.

1. **Exhibit I.C-STAFF-16 Attachment 1 – the Collaboration and Cooperation Agreement between Enbridge Gas and the IESO for the Home Renovation Savings (HRS) Program.**

Enbridge Gas and the IESO entered into the HRS Agreement on July 7, 2025. This is the same HRS Agreement that was previously filed in its 2026 Demand Side Management (DSM) Plan proceeding.[1] Enbridge Gas has requested confidential treatment of the same provisions of the HRS Agreement, and for the same scope of information, that were approved by the OEB in the 2026 DSM Plan proceeding.[2] The references to the specific information for which confidential treatment is sought are summarized below.

- Pages 39-40 (Article 10.1) – Insurance Limits
- Page 43 (Article 11.2) – Cumulative Liability Limits
- Page 90 (Appendix A to Schedule A) – Program Set-up Expenses

[1] EB-2024-0198, Exhibit JT1.6, Attachment 1
[2] EB-2024-0198, Decision on Confidentiality and Procedural Order No. 7, August 29, 2025

- Pages 88-89 (Appendix B to Schedule A) – Illustrative Cost Sharing Example Tables
- Pages 91-97 (Documents Inadvertently Attached to Schedule A) – Duplicate and Erroneous Documents
- Pages 99-101 (Schedule E) – Cybersecurity Protocols
- Pages 102-137 (Schedule F) – Style Guidelines
- Page 61 (Schedule 5.1(c)) – IESO Breach

OEB staff supports the request for confidential treatment of the areas of the HRS Agreement outlined above. OEB staff reviewed the confidentiality requests pertaining to the HRS Agreement against the OEB's Decision on Confidentiality in the 2026 DSM Plan proceeding and did not identify any expansion in the scope of confidential treatment being sought. The current requests relate to the same provisions of the HRS Agreement and appear consistent with the confidential treatment previously approved by the OEB. In OEB staff's view, those same categories of information continue to engage the confidentiality considerations previously accepted by the OEB, including commercial sensitivity, cybersecurity concerns, and the treatment of documents inadvertently included in the agreement.

2. Exhibit I.C-STAFF-16 Attachment 2, Page 1 – 2025 Home Renovation Savings Program – IESO Incentive Costs

Enbridge Gas advised that the IESO has requested redactions to the IESO's customer incentive costs for its portion of the 2025 HRS Program on the basis of non-relevance under Section 11 of the Practice Direction and, in the alternative, confidential treatment of this information.

The IESO noted that the information requested for redactions only pertains to those narrow data elements that disclose actual incentive amounts of the IESO-led components of the HRS Program, with all other responsive information provided on the public record.

The IESO submitted that this information is not relevant to the issues in this proceeding. OEB staff disagrees and is of the view that the information is relevant. Accordingly, OEB staff does not support the redaction of this information under Part 11 of the Practice Direction.

OEB staff is of the view that the redacted information is relevant because it provides the first year of actual costs of the joint HRS Program. The HRS Program is the basis of Enbridge Gas's proposed residential program with a proposed budget of approximately $310 million over the 2027-2030 term.

The information identified by the IESO provides specificity on the actual costs of the joint residential program during its first year of activity. The public interrogatory response already provides substantial cost information for the HRS Program, including all projected costs for both Enbridge Gas, and the IESO and the percentage shares across all cost categories. The public response also provides data for both Enbridge Gas and IESO delivery and promotion costs as well as Enbridge Gas actual incentive costs. However, the public filing withholds the actual IESO incentive amounts.

Disclosure of the actual IESO incentive amounts would permit parties and the OEB to assess not only how actual incentive spending compared to projections, but also how actual incentive amounts for both Enbridge Gas and the IESO relate to delivery, promotion, and other administrative costs within the overall program design. That information is relevant to understanding the relationship between each party's offerings and cost responsibilities under the joint HRS Program, whether changes on one side of the program affect costs borne by the other party, and whether Enbridge Gas's proposed share of future program costs is reasonably grounded in actual program experience.

Although the IESO's incentive costs are not within Enbridge Gas's direct control, the information remains relevant to the OEB's assessment of Enbridge Gas's proposed participation in, and cost allocation for, a jointly delivered residential program funded in part by natural gas ratepayers. Without visibility into the actual IESO incentive amounts, parties will have limited ability to probe the relationship between incentive costs to promotion, delivery and other administrative costs, test the basis for any future changes, or assess what controls, if any, exist to provide some certainty regarding natural gas ratepayer exposure under the joint program.

This is particularly important given the magnitude of the proposed residential budget and the fact that Enbridge Gas is asking the OEB to approve a four-year, projection-based budget for a program expected to continue to be delivered in partnership with the IESO. In OEB staff's view, the OEB would be materially constrained in fully and reliably assessing the reasonableness of Enbridge Gas's proposed residential incentive levels, and the relationship between incentive, promotion, and delivery costs, without access to the first year of actual incentive-cost data for the current joint program structure. That actual data provides an available, real-world benchmark against which the OEB can assess the reasonableness of Enbridge Gas's proposed residential budgets over the balance of the term.

OEB staff also notes that Part 11 of the Practice Direction turns on relevance, not strict necessity. The issue is not whether some assessment of the application could proceed in the absence of the redacted information. The issue is whether the redacted information has probative value in relation to the matters before the OEB. In OEB staff's view, it does. The OEB has previously found, in relation to the HRS Agreement, that broad claims of non-relevance were not appropriate because the HRS materials were generally relevant to a holistic understanding of Enbridge Gas's DSM plan and activities.[3] The same reasoning applies here. Actual first-year incentive-cost data for the joint residential program is relevant to an informed, evidence-based assessment of Enbridge Gas's proposed 2027-2030 residential budget.

If the OEB finds the information relevant, OEB staff does not support the alternative request for confidential treatment. The redacted information does not appear to fall within a presumptively confidential category in Appendix B of the Practice Direction. Nor has the IESO, in OEB staff's view, demonstrated with sufficient specificity how public disclosure of aggregated incentive cost information would give rise to the types of harm contemplated in Appendix A, such as prejudice to a competitive position, impairment of contractual obligations, or significant interference with negotiations. The onus rests on the party requesting confidential treatment to demonstrate that such treatment is warranted. The information requested to be treated confidentially is aggregated incentive costs. OEB staff is not aware of any reason that the redacted information is uniquely sensitive in a manner that would justify confidential treatment.

For these reasons, OEB staff submits that the redacted information is relevant. Therefore, unless the IESO can demonstrate that the aggregated incentive cost information falls within a presumptively confidential category in Appendix B of the Practice Direction or that disclosure of this information would give rise to the types of harm contemplated in Appendix A, OEB staff submits that the request for confidential treatment should also be denied.

3. Exhibit I.D-ED/GEC/PP-63 Attachment 1, Page 4 – Detailed budget within the consultant's scope of work

Enbridge Gas has requested confidential treatment of the detailed costs for the benchmarking study completed by First Tracks Consulting Inc. that is included in its application at Exhibit D, Tab 2, Schedule 2.

OEB staff supports this request. OEB staff is of the view that the detailed budget, which includes the hourly rates and task specific budgets, should be treated as confidential, consistent with Appendix B of the Practice Direction. Appendix B outlines the categories of information that will presumptively be considered confidential, including unit pricing

[3] Ibid, pp. 2-3

and billing rates of a third party. Enbridge Gas has provided the aggregate costs of the study, which is sufficient for public disclosure.

4. Exhibit I.E-ED/GEC/PP-99 Attachment 4, Page 25 – Insurance Limits

Enbridge Gas has requested confidential treatment of the insurance limits information in the Direct Install Collaboration and Contribution Agreement (Direct Install Agreement). Enbridge Gas has only requested confidential treatment of the specific insurance amounts provided in Article 10.1 of the Direct Install Agreement.

OEB staff supports this request. This request is similar to the request for confidential treatment of insurance limits in the HRS Agreement which the OEB approved in the 2026 DSM Plan proceeding.[4] As noted by Enbridge Gas, the monetary limits of insurance coverage represent negotiated financial and commercial information that has been consistently treated in a confidential manner. OEB staff is of the view that the same treatment should apply to this request, as the redacted insurance limits are negotiated financial and commercial information of the same general type previously found to warrant confidential treatment, consistent with the Practice Direction Appendix A(a)(i) and (iii).

5. Exhibit I.E-SEC-34 Attachment 3, Page 3 – Detailed budget within the consultant's scope of work

Similar to the request in #3 above, Enbridge Gas has requested confidential treatment of the detailed costs for the market research study completed by Ipsos.

OEB staff supports this request. OEB staff is of the view that the detailed budget, which includes specific costs for each area of work, including third-party billing rates and pricing information, should be treated as confidential, consistent with Appendix B of the Practice Direction.

~All of which is respectfully submitted~

[4] Ibid, p. 3