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

EB-2025-0295

Enbridge Gas Inc.

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

DECISION ON CONFIDENTIALITY
July 10, 2026

This is a Decision on a confidentiality and non-relevance request filed by Enbridge Gas Inc. (Enbridge Gas) in the multi-year natural gas demand side management (DSM) plan proceeding.

On June 18, 2026, Enbridge Gas filed its interrogatory responses and requested confidential treatment of certain information in accordance with the OEB's *Practice Direction on Confidential Filings* (Practice Direction). Enbridge Gas also requested that certain information be removed from the record on the basis of non-relevance.

The OEB provided dates for the filing of submissions on Enbridge Gas's requests for redactions. The OEB received submissions from OEB staff, Pollution Probe the Independent Electricity System Operator (IESO) and a reply submission from Enbridge Gas.

Request for Confidential Treatment of an Interrogatory Response

Enbridge Gas requested confidential treatment for portions of 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, executed July 7, 2025 (the HRS Agreement). Enbridge Gas stated that the HRS Agreement is the same agreement previously filed in the 2026 DSM Plan proceeding[1] and that the proposed redactions in the current proceeding are identical to those approved by the OEB in that proceeding.

Enbridge Gas also advised that the IESO requested redactions from Exhibit I.C-STAFF-16 Attachment 2, Page 1, related to the 2025 HRS Program costs. The redacted information relates to actual performance and incentive amounts for the IESO-led components of the HRS Program. The IESO requested that this information be redacted

[1] EB-2024-0198

on the basis of non-relevance under Part 11 of the Practice Direction and, in the alternative, be treated as confidential under Part 5 of the Practice Direction.

In addition, Enbridge Gas requested confidential treatment for detailed budget and pricing information in Exhibit I.D-ED/GEC/PP-63 Attachment 1, Page 4, insurance limits in Exhibit I.E-ED/GEC/PP-99 Attachment 4, Page 25, and detailed budget and pricing information in Exhibit I.E-SEC-34 Attachment 3, Page 3.

Applicable Framework

The OEB's Practice Direction provides that information filed in an OEB proceeding should generally be placed on the public record unless confidential treatment is warranted. Requests to withhold information on the basis of non-relevance under Part 11 are distinct from requests for confidential treatment under Part 5.

Appendix A of the Practice Direction identifies considerations that may support confidential treatment, including commercial sensitivity, prejudice to a competitive position, significant interference with negotiations, impacts on contractual obligations, and cybersecurity-related risks. Appendix B identifies categories of information that will presumptively be considered confidential, including third-party billing rates and unit pricing.

Decision on Confidentiality and Redaction Requests

1. Exhibit I.C-STAFF-16 Attachment 1 – Home Renovation Savings Agreement

Enbridge Gas requested confidential treatment of certain provisions of the HRS Agreement. Enbridge Gas stated that the redactions are identical to those approved by the OEB in the 2026 DSM Plan proceeding and that it is not seeking to expand the scope of confidential treatment previously reviewed and determined by the OEB. These include:

a) Pages 39-40, Article 10.1 - Insurance Limits
b) Page 43 (Article 11.2) – Cumulative Liability Limits
c) Page 90 (Appendix A to Schedule A) – Program Set-up Expenses
d) Pages 88-89 (Appendix B to Schedule A) – Illustrative Cost Sharing Example Tables
e) Pages 91-97 (Documents Inadvertently Attached to Schedule A) – Duplicate and Erroneous Documents
f) Pages 99-101 (Schedule E) – Cybersecurity Protocols
g) Pages 102-137 (Schedule F) – Style Guidelines
h) Page 61 (Schedule 5.1(c)) – IESO Breach

OEB staff supported the request. OEB staff submitted that it reviewed the current confidentiality requests 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. OEB staff submitted that the 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.

No party filed submissions opposing the HRS Agreement redactions outlined above.

Findings

The OEB grants Enbridge Gas's requests for confidential treatment for the redactions to certain provisions within the HRS Agreement as identified in (a) to (h). The OEB agrees with OEB staff that the same categories of information were previously approved by the OEB in a previous DSM proceeding, including cybersecurity, negotiated commercial and financial information.[2]

In making this finding, the OEB has considered Appendix A to the Practice Direction (Considerations in Determining Requests for Confidentiality). The OEB is satisfied that the requested redactions fall within the following factors set out in Appendix A:

(a) the potential harm that could result from the disclosure of the information, including:

  (i) prejudice to any person's competitive position;

  (iii) whether the information could interfere significantly with negotiations being carried out by a party;

(c) whether the information pertains to public security or cybersecurity; and

(e) whether the type of information in question was previously held confidential by the OEB

The OEB accepts Enbridge Gas's grounds for the proposed redactions as set out in its June 18, 2026 cover letter to its interrogatory responses.

[2] EB-2024-0198, Decision on Confidentiality and Procedural Order No. 7

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

The IESO requested redactions to Exhibit I.C-STAFF-16 Attachment 2, Page 1, which was filed in response to OEB staff's request that Enbridge Gas quantify the administrative cost increases it has incurred due to HRSP collaboration with the IESO. The proposed redactions relate to actual performance and incentive amounts for the IESO-led components of the HRS Program, specifically the total incentive amounts paid by the IESO across program streams.

The IESO submitted that this information falls outside Enbridge Gas's oversight and responsibility and is not relevant or necessary for assessing the reasonableness of the matters at issue in this proceeding. The IESO also submitted that the information is not responsive to I.C-STAFF-16 because the interrogatory was limited to administrative cost increases incurred by Enbridge Gas due to HRSP collaboration with the IESO.

OEB staff opposed the request to redact the information on the basis of non-relevance. OEB staff submitted that the information provides the first year of actual costs of the joint HRS Program, which is the basis of Enbridge Gas's proposed residential program with a proposed budget of approximately $310 million over the 2027-2030 term. OEB staff submitted that disclosure of the actual IESO incentive amounts would permit parties and the OEB to assess how actual incentive spending compared to projections and how actual incentive amounts for both Enbridge Gas and the IESO relate to delivery, promotion, and other administrative costs within the overall program design.

OEB staff submitted that, 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. OEB staff further submitted that Part 11 of the Practice Direction turns on relevance, not strict necessity, and that the information has probative value in relation to the matters before the OEB.

Pollution Probe supported OEB staff's position. Pollution Probe submitted that Attachment 2 relates to the allocation of 2025 costs under the one-window HRS Program, which it described as the largest single DSM program funded by natural gas ratepayers. Pollution Probe submitted that the information provides transparency regarding how program costs are actually being allocated compared to the multi-year budgets included in the agreement, including total program amounts and cost-sharing of administration, promotion, delivery, and incentive costs allocated to gas and electric ratepayers.

Pollution Probe submitted that fair sharing of ratepayer costs, program efficiency, and avoidance of cross-subsidization are key considerations for the HRS Program. Pollution Probe submitted that the information in Attachment 2 is relevant because it directly relates to how total HRS Program costs are being allocated, and that current expected costs compared to the agreement budget estimates are a primary input to the TRC Plus Test and will have a direct impact on party positions and OEB considerations in this proceeding. Pollution Probe submitted that, if the OEB does not require the information to be placed on the public record, it should at least be provided as confidential information so that it can be considered in the proceeding.

The IESO maintained that the information should be redacted as non-relevant. The IESO submitted that the information is not responsive to Exhibit I.C.STAFF-16, which asked Enbridge Gas to quantify the administrative cost increases Enbridge Gas has incurred due to collaboration with the IESO in the HRS Program. Further, the IESO questioned the basis upon which OEB Staff now characterized the IESO incentive information to have probative value. In the alternative, the IESO requested confidential treatment under Part 5 of the Practice Direction. The IESO submitted that public disclosure could reasonably be expected to prejudice its program administration and planning activities, including by revealing sensitive incentive and performance data that may affect future program design and delivery.

If the OEB determines that the information is relevant and denies confidential treatment, the IESO requested that Enbridge Gas be permitted to update Exhibit I.C-STAFF-16 Attachment 2 to include a note indicating that the IESO values in the actuals columns are preliminary and subject to future evaluation and verification, which may result in adjustments.

Enbridge Gas supported the IESO’s submissions in reply and maintained its request that the OEB find the redacted material irrelevant or, in the alternative, appropriately subject to confidential treatment under the Practice Direction.

Findings

The OEB denies the Enbridge Gas/IESO request for redactions of the IESO’s customer incentive costs for the 2025 HRS program based on the assertion of non-relevance. The OEB finds that the redacted actual costs incurred in the first year of the HRS program are relevant and fall within the scope of this proceeding.

In particular, issue #9 of the approved Issues List includes proposed budgeted program costs and reasonable rate impacts. Inclusion of this information in the evidentiary record will allow the parties to compare actual versus budgeted incentive costs and the cost allocation for recovery, to inform the evaluation of the proposed 2027-2030 residential program budget. The wording of the initial interrogatory from OEB staff regarding cost “increases” was not a persuasive consideration in the OEB’s assessment of relevance.

Having found the information to be relevant, the OEB notes both Enbridge Gas and the IESO have requested confidential treatment for the redacted information if the OEB were to find it relevant. However, only the OEB has received the unredacted information. Intervenor representatives who have signed the OEB’s form of Declaration and Undertaking have not yet had the opportunity to review the subject information. As Pollution Probe noted, not having access to the unredacted information in Attachment 2 will leave a hole in the record for the largest program in Enbridge’s DSM portfolio.

Under the Practice Direction, requests to withhold information on the basis of non-relevance under Part 11 are distinct from requests for confidential treatment under Part 5. Having determined that the redacted information is relevant, section 11.1.4 of the Practice Direction provides that “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.”

The OEB acknowledges that certain submissions on relevance also touched (to varying degrees) on confidentiality. However, the OEB is making a further provision for submissions from intervenors and OEB staff and a reply submission from Enbridge Gas on the question of confidentiality, after Enbridge Gas has provided unredacted copies of I.C-STAFF-16 Attachment 2, Page 1 to representatives who signed the Declaration and Undertaking.

Exhibit I.D-ED/GEC/PP-63 Attachment 1, Page 4 – First Tracks Scope of Work

Enbridge Gas requested confidential treatment of the detailed budget within the scope of work for the benchmarking study completed by First Tracks Consulting Inc. Enbridge Gas stated that the redacted information is hourly and task-specific pricing information and is therefore billing-rate or unit-pricing information of a third party that is presumptively confidential under Appendix B of the Practice Direction.

OEB staff supported the request. OEB staff submitted that the detailed budget includes hourly rates and task-specific budgets and should be treated as confidential, while the aggregate cost of the study has been provided on the public record. No other party filed submissions on this request.

Findings

The OEB agrees with Enbridge Gas that the hourly and task-specific pricing for a third-party service provider is commercially sensitive and grants the request for confidential treatment based on the considerations set out in Appendix B (1) and (2) of the Practice Direction.

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

Enbridge Gas requested confidential treatment of insurance limits in the Direct Install Collaboration and Contribution Agreement. Enbridge Gas requested confidential treatment only for the specific insurance amounts provided in Article 10.1 of that agreement.

Enbridge Gas submitted that the monetary limits of insurance coverage represent negotiated financial and commercial information that has been consistently treated in a confidential manner and that disclosure would be prejudicial to the parties in future negotiations with commercial partners and in competitive bidding processes.

OEB staff supported the request. OEB staff submitted that the request is similar to the request for confidential treatment of insurance limits in the HRS Agreement that the OEB approved in the 2026 DSM Plan proceeding, and that the same treatment should apply. No other party filed submissions on this request.

Findings

The OEB finds that the redacted information results from negotiations carried out with a third-party, is commercially sensitive and could affect future negotiations. The OEB grants Enbridge Gas's request for confidential treatment based on the considerations set out in at Appendix A(a) (iii) of the Practice Direction.

3. Exhibit I.E-SEC-34 Attachment 3, Page 3 – Ipsos Scope of Work

Enbridge Gas requested confidential treatment of the detailed budget within the scope of work for the market research study completed by Ipsos. Enbridge Gas stated that the redacted information is hourly and task-specific pricing information and is therefore billing-rate or unit-pricing information of a third party that is presumptively confidential under Appendix B of the Practice Direction.

OEB staff supported the request. OEB staff submitted that the detailed budget includes specific costs for each area of work, including third-party billing rates and pricing information, and should be treated as confidential. No other party filed submissions on this request.

Findings

The OEB agrees with Enbridge Gas that the hourly and task-specific pricing for a third-party service provider is commercially sensitive and grants the request for confidential treatment based on the considerations set out in Appendix B (1) and (2) of the Practice Direction.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Enbridge Gas Inc. is ordered to immediately serve the unredacted version of Exhibit I.C-STAFF-16 Attachment 2, Page 1 on intervenors who have signed the Declaration and Undertaking.
2. OEB staff and intervenors may file submissions on the request for confidential treatment on or before **Friday, July 17, 2026**.
3. Enbridge Gas Inc. may file a reply submission on or before **Friday, July 24, 2026**.

Email: registrar@oeb.ca
Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, July 10, 2026

ONTARIO ENERGY BOARD

Ann Zeng Digitally signed by Ann Zeng
Date: 2026.07.10
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Ann Zeng
Deputy Registrar, Adjudicative Projects
Acting under delegated authority of the Registrar