



Enbridge Gas Inc.

**Application to change its natural gas rates and other
charges beginning January 1, 2024**

PROCEDURAL ORDER NO. 7

August 10, 2026

Enbridge Gas Inc. (Enbridge Gas) filed an application on October 31, 2022 with the OEB under section 36 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B), seeking approval for changes to the rates that Enbridge Gas charges for natural gas distribution, transportation and storage, beginning January 1, 2024. On March 26, 2026, the OEB approved a settlement proposal covering all issues in Phase 3 of the proceeding except Issues 13 (a) through (d), which deal with non-ratemaking matters.

Pollution Probe filed a motion on July 18, 2025 (revised on July 21, 2025) requesting that the OEB require Enbridge Gas to provide written responses to questions it refused to answer during the interrogatory and technical conference process related to Integrated Resource Planning (IRP) and Enbridge Gas's cost comparison materials.

In Procedural Order No. 5, the OEB set out a process to hear Pollution Probe's motion. The OEB also set out a process for Environmental Defence and Green Energy Coalition (GEC) to file intervenor evidence, for Enbridge Gas to file reply evidence, and for written discovery on the evidence filed.

Enbridge Gas filed its response to the motion on May 1, 2026. Intervenors filed submissions on the motion on May 15, 2026. Pollution Probe filed its reply argument on May 22, 2026.

On June 23, 2026, Environmental Defence and GEC filed a motion by way of letter requesting that the OEB order that Enbridge Gas provide full and adequate responses to two interrogatories related to Enbridge Gas's reply evidence. On June 24, 2026, Enbridge Gas filed a response to Environmental Defence and GEC's motion.

On June 30, 2026, the OEB issued a letter suspending the dates in Procedural Order No. 5 for written submissions until the decisions on the motion by Pollution Probe and the motion by Environmental Defence and GEC are made.

POLLUTION PROBE MOTION RELATED TO IRP

Pollution Probe requested that the OEB require Enbridge Gas to provide written responses to the following interrogatories related to IRP that Enbridge Gas refused to answer:

- Exhibit I.1.13-PP-2
- Exhibit I.1.13-PP-9
- Exhibit I.1.13-PP-10
- Exhibit I.1.13-PP-14
- Exhibit I.1.13-PP-21
- Exhibit I.1.13-ED-3

Pollution Probe submitted that this information is needed to adequately assess Issue 13(c)¹ in this proceeding. Pollution Probe also requested that the OEB provide confirmation on the scope of Issue 13(c).

Enbridge Gas submitted that no clarification of Issue 13(c) is required. Enbridge Gas stated that the issue, carried forward from Phase 2² of the Rebasing proceeding, is limited to whether it has appropriately responded to and met the OEB's directives and directions for IRP and not a review and evaluation of the IRP Framework. Enbridge Gas noted that the OEB has addressed that question separately through its consultation to review the IRP Framework,³ which concluded with a direction for Enbridge Gas to file an updated framework. Enbridge Gas submitted that reviewing the same issues in multiple proceedings would undermine regulatory efficiency.

Enbridge Gas stated that it filed extensive evidence addressing this issue, including responses to 33 interrogatories (22 interrogatories from Pollution Probe) and declined to respond to a small number of those on the basis that the requests were not relevant to the proceeding. In Enbridge Gas's view, the interrogatories it refused to answer sought to gather information about specific IRP activities and actions, in an apparent attempt to micro-manage or second guess the company's IRP activities.

Environmental Defence and GEC, the City of Kitchener and Minogi Corp. filed letters supporting Pollution Probe's motion.

¹ Issue 13: Has Enbridge Gas identified and responded appropriately to all relevant OEB directions and Enbridge Gas commitments made in OEB proceedings (inclusive of any relevant directions arising from the OEB's pending decision on Phase 2), including those relating to:

c) reporting on the status of its responses to previous Integrated Resource Planning directions

² EB-2024-0111

³ EB-2025-0125

Environmental Defence and GEC submitted that the OEB's review of the IRP Framework is forward looking, whereas the issue in this proceeding is whether Enbridge Gas has complied with past directives. Environmental Defence and GEC stated that compliance with IRP directives is on the issues list and can only be appropriately addressed if Enbridge Gas discloses relevant information requested from intervenors such as Pollution Probe.

Pollution Probe disagreed that the outstanding interrogatories fall outside of the scope of Issue 13(c). Pollution Probe submitted that it is not seeking a review and assessment of the IRP Framework, but to provide current information relevant to the proceeding to determine whether Enbridge Gas has "identified and responded appropriately to all relevant OEB directions and Enbridge Gas commitments".

Pollution Probe further submitted that Enbridge Gas's responses to IRP related interrogatories are selective, cursory and incomplete, and do not provide sufficient information to assess whether Enbridge Gas has "identified and responded appropriately to all relevant OEB directions and Enbridge Gas commitments".

Findings

Issue 13(c) asks:

Has Enbridge Gas identified and responded appropriately to all relevant OEB directions and Enbridge Gas commitments made in OEB proceedings (inclusive of any relevant directions arising from the OEB's pending decision on Phase 2), including those relating to:

...

(c) reporting on the status of its responses to previous Integrated Resource Planning directions

The OEB will not require Enbridge Gas to provide answers to the following interrogatories related to Integrated Resource Planning:

- Exhibit I.1.13-PP-2 – this interrogatory does not relate to compliance with previous OEB direction regarding IRP. It asks questions about continuous improvement exercises undertaken by Enbridge Gas that are best pursued as part of the OEB's current exercise to review integrated resource planning.
- Exhibit I.1.13-PP-9 – this interrogatory asks questions about how integrated resource planning is factored into asset management planning by Enbridge Gas. These are best pursued as part of the OEB's current exercise to review integrated resource planning.

- Exhibit I.1.13-PP-10 – this interrogatory asks questions focusing on training materials used to implement integrated resource planning. These are best addressed as part of the OEB’s current exercise to review integrated resource planning.
- Exhibit I.1.13-PP-14 – this interrogatory asks questions in relation to potential enhancements to the integrated resource planning framework. These are best addressed as part of the OEB’s current exercise to review integrated resource planning.
- Exhibit I.1.13-PP-21 – this interrogatory asks about Enbridge Gas’s procurement process to retain an evaluation contractor to support the integrated resource planning pilot project currently underway. This issue can be addressed when the OEB reviews the results of that pilot project and its associated costs.
- Exhibit I.1.13-ED-3 – this interrogatory asks for copies of two versions of the DCF+ Supplemental Guide. The requested information does not appear to be related to Issue 13(c). This is best addressed as part of the OEB’s current exercise to review integrated resource planning.

POLLUTION PROBE MOTION AND ENVIRONMENTAL DEFENCE/GEC MOTION RELATED TO COST COMPARISONS

Pollution Probe Motion

Pollution Probe requested that the OEB require Enbridge Gas to file the full set of updated marketing materials that it refused to file in the technical conference.⁴

Pollution Probe noted that issues related to Enbridge Gas’s marketing and information materials have been long-standing, noted in Phase 1 and carried forward to Phase 3 to provide Enbridge Gas time to make updates to these materials. Pollution Probe also referenced the commitment Enbridge Gas made related to filing updated materials in the OEB-approved settlement proposal in Phase 2.

Pollution Probe stated that the Phase 2 settlement agreement did not include any wording to limit the filing of the updated materials to a subset selected by Enbridge Gas, but in fact includes all updated materials. In Pollution Probe’s view, refusal to provide those materials is in contravention of the settlement.

Enbridge Gas noted that in the Phase 2 settlement agreement, it agreed to discontinue the use of marketing and customer-facing materials containing cost comparisons unless those comparisons include electric cold-climate heat pumps, and to file any updated cost comparison materials being used. Enbridge Gas noted that it has already

⁴ Technical Conference Transcript Day 1, pg. 16, lines 4-27

confirmed in evidence that it stopped using its marketing materials that included cost comparisons without cold climate heat pumps and filed a representative set of its current marketing materials showing that such comparisons are no longer included.

Enbridge Gas stated that it previously explained that the only cost comparison information currently being provided is in disclaimer language intended to inform customers participating in, or considering participation in, certain heat pump offers about the potential financial implications of the Federal Fuel Charge being set to zero. Enbridge Gas submitted that this disclaimer information has already been filed in this and other proceedings before the OEB.

Enbridge Gas submitted that Pollution Probe's request for the full set of materials is unnecessary. Enbridge Gas submitted that Pollution Probe provided no evidence to suggest that its representation that it no longer uses marketing materials containing cost comparisons is inaccurate. Enbridge Gas further argued that no benefit is served by requiring it to file every instance of such materials to confirm a representation it already made.

Environmental Defence and GEC supported the full disclosure on the energy cost comparison information issue. Environmental Defence and GEC stated that there is no exception built into the Phase 2 settlement agreement allowing Enbridge Gas to withhold updated cost comparison materials until after they have already been disseminated. They also noted that from a practical perspective, it is most efficient if any updated materials that are pending release be examined at the same time as the other energy cost information materials already on the record.

Pollution Probe argued that Enbridge Gas only provided a limited sample of its current marketing material in its filing and refused to provide the full set of materials requested and required in compliance with the Phase 2 settlement.⁵ Pollution Probe requested a full and complete copy of all the current materials and the reference information used to support the Phase 2 settlement.

Pollution Probe submitted that it is not required to demonstrate that Enbridge Gas's marketing materials are inaccurate in order for it to be placed on the record and argued it would be impossible to assess the material until they are provided. Pollution Probe further stated that there is no way to objectively assess if Enbridge Gas has correctly responded to the Phase 2 settlement relating to cost comparison marketing materials.

Environmental Defence and GEC Request

⁵ EB-2024-0111, Decision on Settlement Proposal, November 29, 2024, Sch. A, Ex. N, Tab 1, Sch. 1, pg.34

Environmental Defence and GEC requested an order that Enbridge Gas provide full and adequate responses to two interrogatories (i.e., I.ED.EGI Reply-2 and 4) on its reply evidence.

Enbridge Gas, in response to the Environmental Defence and GEC letter, updated its response to I.ED.EGI Reply-2. Enbridge Gas stated that its Technical Resource Manual does account for energy used in the defrost cycle, however it is not relevant to the Home Renovation Savings disclaimer.

For I.ED.EGI Reply-4, Enbridge Gas maintained that there are no current plans to release updated cost-comparison materials for gas expansion projects; hence, there are no draft materials. Enbridge Gas stated that the Phase 2 settlement agreed that Enbridge Gas will stop using the marketing materials that include cost comparisons. Enbridge Gas further argued that the Phase 2 settlement did not include any requirement for Enbridge Gas to issue any updated remedial materials to customers but rather it prescribed what would happen on a go-forward basis.

Findings

Issue 13(d) asks:

Has Enbridge Gas identified and responded appropriately to all relevant OEB directions and Enbridge Gas commitments made in OEB proceedings (inclusive of any relevant directions arising from the OEB's pending decision on Phase 2), including those relating to:

...

- d) filing updated written marketing materials or reference materials aimed at customers, potential customers, HVAC contractors or builders that include previously included energy comparison information;

The issue related to marketing materials is intended to address the concern identified in earlier phases of this proceeding, namely the claim of inaccurate comparison of costs associated with heating with gas versus heating with electricity. Included in the Phase 2 settlement proposal, Enbridge Gas made a commitment⁶ to stop using certain comparative advertising and marketing claims unless they are supported by appropriate evidence and methodology, which was accepted by the OEB⁷.

⁶ EB-2024-0111, Settlement Proposal, Exhibit N, Tab 1, Schedule 1, p. 34.

⁷ EB-2024-0111, Decision on Settlement Proposal and Rate Order, November 29, 2024.

In the current Phase 3 proceeding, Enbridge Gas stated that it no longer uses energy cost comparisons in its marketing materials other than what is stated in a disclaimer it is using in its home renovation DSM programming. Enbridge Gas has produced what it describes as a representative set of marketing materials to demonstrate this statement.

The challenge here is the ability to confirm that the assertion by Enbridge Gas is correct without Enbridge Gas having to produce all its marketing materials.

Rather than requiring Enbridge Gas to produce that information, which would be difficult to verify as complete, the OEB finds it sufficient for an Enbridge Gas senior executive to execute a statutory declaration confirming:

- Enbridge Gas no longer includes energy cost comparison information in materials provided to its customers, other than the disclaimer already addressed in its evidence;
- the steps taken by that executive to confirm that; and
- the date when Enbridge Gas stopped including energy cost comparison information in materials provided to customers.

If such a declaration can be executed, Enbridge Gas shall file it with its argument in chief. If Enbridge Gas does not file a declaration, it shall file all current information materials provided to customers with its argument in chief.

NEXT STEPS

The OEB is scheduling new dates for written argument.

Enbridge Gas shall file its written argument in chief by **August 17, 2026**.

Intervenors shall file their written argument by **August 26, 2026**.

Enbridge Gas shall file any reply argument by **September 2, 2026**.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Enbridge Gas shall either file all its marketing materials, or a statutory declaration as described above, along with its argument in chief, with the OEB and send them to all parties by **August 17, 2026**.

2. Intervenors shall file any submissions on the outstanding issues with the OEB and send them to all parties by **August 26, 2026**.
3. Enbridge Gas shall file its reply argument on the outstanding issues with the OEB and send it to all parties by **September 2, 2026**.

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-2025-0064** 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 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, Catherine Nguyen at Catherine.Nguyen@oeb.ca and OEB Counsel, Michael Millar, at Michael.Millar@oeb.ca, and Ian Richler, at Ian.Richler@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **August 10, 2026**

ONTARIO ENERGY BOARD

Ritchie Murray
Registrar