



Kevin Culbert
Senior Manager, Regulatory
Policy, Strategy & Proceedings
Regulatory Affairs

Tel 416 495 5778
Kevin.culbert@enbridge.com

Enbridge Gas Distribution
500 Consumers Road
North York, Ontario M2J 1P8
Canada

VIA COURIER, RESS and EMAIL

January 15, 2016

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

**Re: Amendments to the OEB Regulatory Instruments (RRRs, Codes & Rules)
and Specifying a Mandatory Record Retention Period for Regulated Entities
Comments of Enbridge Gas Distribution Inc. (“Enbridge”)
Board File No.: EB-2015-0247**

In a letter dated December 10, 2015, the Board indicated that it was seeking written comments by stakeholders on the proposed amendments to the OEB Regulatory Instruments (RRRs, Codes & Rules), which were distributed with the letter.

While Enbridge does not fully understand the necessity of the amendments, we respect the importance of the Board being able to effectively monitor the results of regulated entities. However, where it is an ongoing expectation of regulated entities to be striving to become more cost and process effective, it could be perceived as contrary to require such entities to increase information reporting or records retention without a clear view as to necessity.

With that context, from an implementation perspective, where the Board may consider that standardization of the manner in which records are to be retained by all entities could be of some benefit (eg., format, type, detail, etc.) the impact to costs, time and effort that entities will encounter through any standardization should also be a consideration.

Enbridge has reviewed the proposed Mandatory Record Retention Period amendments and in conjunction with Enbridge’s own record retention policy, does not foresee any significant issues for itself in being able to comply with the proposed amendments, subject to any final determinations around associated implementation requirements.

Enbridge comments however, that the records to be maintained by each of the regulated entities should be at their discretion as each entity has unique characteristics

and supporting systems and structures. This view is supported by the statement included in the Revised Notice of Proposal document at page 4 in the first paragraph which states, "Regulated Entities should exercise their best judgment in determining the types of records that need to be retained to demonstrate compliance with a Regulatory Instrument." Enbridge agrees with this statement in the Revised Notice of Proposal and does not believe that a consensus could ever likely be reached by all parties as to what form, type and details of records are appropriate for all parties to retain.

Enbridge additionally submits that the records retention requirement should only pertain to the information necessary to support regulatory records, not other corporate / business requirements. It should also be at the discretion of each entity to determine whether any such records would be retained electronically or in hard copy, again, given the individual circumstances of each entity.

Enbridge submits that the application of any proposed and required Mandatory Record Retention Period should apply prospectively and that the date of required implementation should be at the later of, the first available re-basing year for entities currently in the midst of an Incentive Regulation rate making term or commencing in 2017.

Please contact the undersigned if you have any questions.

Yours truly,

[original signed]

Kevin Culbert
Senior Manager Regulatory Strategy,
Policy & Proceedings

cc: Stephanie Chan, OEB