



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

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# **DECISION ON COST AWARD ELIGIBILITY AND PROCEDURAL ORDER**

**EB-2021-0004**

**ENBRIDGE GAS INC.**

**Consultation to Review Enbridge Gas Inc.'s Annual Update to Natural Gas  
Supply Plan**

**By Delegation, Before: Theodore Antonopoulos**

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**March 16, 2021**

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## INTRODUCTION

On February 19, 2021, the Ontario Energy Board (OEB) announced in a letter ([Initiation Letter](#)) that it was initiating a consultation to review the annual update to Enbridge Gas Inc.'s (Enbridge Gas) five-year natural gas supply plans (GSP) in keeping with the GSP assessment process contemplated in the OEB's *Report of the Board: Framework for the Assessment of Distributor Gas Supply Plans* ([Gas Supply Framework](#))<sup>1</sup>.

In the Initiation Letter, the OEB set out a process to review the annual update to the GSP, including a Stakeholder Conference on April 13-14, 2021. Parties interested in participating in the consultation were asked to indicate their intent by filing a letter with the OEB by March 2, 2021. If Enbridge Gas had any objections to any of the requests for cost eligibility, such objections were to be filed with the OEB by March 9, 2021.

On February 22, 2021, Enbridge Gas commented that the dates of the Stakeholder Conference (April 13-14, 2021) coincide with the rescheduled March Break (April 12-16, 2021). Enbridge Gas requested that the OEB reschedule the Stakeholder Conference during the week of April 26, 2021 and that the remaining procedural steps be adjusted accordingly.

The following parties requested to participate in the consultation (\* denotes a request for cost eligibility):

- Anwaatin Inc. (Anwaatin)\*
- Building Owners and Managers Association, Greater Toronto (BOMA)\*
- Canadian Manufactures & Exporters (CME)\*
- City of Kitchener – Utilities Division (Kitchener)
- Environmental Defence (ED)\*
- EPCOR Natural Gas Limited Partnership (ENGLP)
- Federation of Rental-housing Providers of Ontario (FRPO)\*
- Industrial Gas Users Association (IGUA)\*
- London Property Management Association (LPMA)\*
- Northwestern Ontario Chambers of Commerce Coalition (NWCOC Coalition)\*<sup>2</sup>
- Ontario Sustainable Energy Association (OSEA)\*
- Pollution Probe\*

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<sup>1</sup> EB-2017-0129

<sup>2</sup> Includes Thunder Bay Chamber of Commerce and Chambers of Commerce of Northwestern Ontario.

- School Energy Coalition (SEC)\*
- Six Nations Natural Gas Co. (SNNG)
- TransCanada PipeLines Limited (TCPL)

Enbridge Gas was given an opportunity to file any objections it might have in relation to the eligibility of the above-noted parties. On March 9, 2021, Enbridge Gas filed a letter to the OEB indicating there were no objections to the cost eligibility requests.

This cost eligibility Decision is being issued by delegated authority under section 6 of the *Ontario Energy Board Act, 1998*.

### **OEB Findings**

The OEB will reschedule the Stakeholder Conference and certain procedural steps. Accordingly, dates provided in February 19, 2021 letter have been amended below in the Orders section.

All parties that filed letters of intent with the OEB will be sent the virtual meeting details for the Stakeholder Conference in a subsequent communication.

The OEB has reviewed the requests for cost eligibility from parties to ensure they were compliant with section 3 of the OEB's [Practice Direction on Cost Awards](#). All requests for cost eligibility are granted. Parties are reminded that any awards of costs will be dependent on the extent to which the parties' questions and submissions relate directly to Enbridge Gas's GSP and are within the scope of the consultation (i.e., to the extent the parties assess Enbridge Gas's GSP against the guiding principles and criteria outlined in the Gas Supply Framework). The OEB notes that there are ongoing proceedings that may overlap with this consultation and that parties are to adhere to the scope outlined in the Initiation Letter.

The OEB also notes that there are stakeholders with overlapping interests. The OEB expects that participants with similar viewpoints will coordinate their activities to the extent possible in order to increase efficiency and minimize costs. The OEB also reminds parties to be mindful of section 6 of the [Practice Direction on Cost Awards](#) with respect to cost eligible claims and specifically, section 6.05 regarding cost eligible representatives.

A decision and order on cost awards will be issued at a later date, typically at the end of the consultation. The OEB reminds parties that the maximum hours allocated for

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each activity are per party. As provided in the Appendix A of the Initiation Letter<sup>3</sup>, cost awards will be available for the following activities:

<b>ACTIVITY</b>	<b>TOTAL ELIGIBLE HOURS PER PARTICIPANT</b>
Written questions	Up to a maximum of 10 hours
Preparation for the Stakeholder Conference	Up to a maximum of 2 hours
Attendance at Stakeholder Conference	Actual attendance time
Written comments on gas supply plan	Up to a maximum of 12 hours

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<sup>3</sup> Initiation Letter to Review Annual Update to Five-Year Natural Gas Supply Plan, February 19, 2021

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## ORDER

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and stakeholders will have an opportunity to submit written questions, which should be sent to Enbridge Gas and filed with the OEB by **March 30, 2021**.
2. The Stakeholder Conference will convene on **April 26, 2021** starting at 9:30 am. If necessary, the Stakeholder Conference will continue to **April 27, 2021**. This will be a transcribed virtual conference and information on how to participate will be communicated to parties at a later date.
3. Stakeholders will have an opportunity to submit written comments on Enbridge Gas's GSP by **May 4, 2021**.
4. Enbridge Gas will then have the opportunity to review the written comments and decide whether to: (i) provide written comments in response, and/or (ii) revise its plan and provide a revision statement that outlines any changes, together with the rationale for those changes. Enbridge Gas is to file its written comments and/or revision statement by **May 11, 2021**.

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*.

All materials filed with the OEB must quote the file number, **EB-2021-0004**, and be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://p-pes.ontarioenergyboard.ca/PivotalUX/>. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at [www.oeb.ca/industry](http://www.oeb.ca/industry). Parties are encouraged to use RESS; however, parties who have not yet [set up an account](#), may email their documents to [registrar@oeb.ca](mailto:registrar@oeb.ca).

All communications should be directed to the attention of the Registrar at the address below and be received no later than 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, Khalil Viraney at [Khalil.Viraney@oeb.ca](mailto:Khalil.Viraney@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

Tel: 1-888-632-6273 (Toll free)

Fax: 416-440-7656

**DATED** at Toronto March 16, 2021

**ONTARIO ENERGY BOARD**

*Original Signed By*

Christine E. Long  
Registrar