

January 29, 2024

BY EMAIL AND FILED VIA RESS

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Enbridge Gas Inc. (“Enbridge Gas”)
EB-2022-0200 – 2024 Rates Application
EB-2024-0078 – Motion to Review and Vary**

We represent Enbridge Gas. Attached is the Notice of Motion from Enbridge Gas requesting that the Ontario Energy Board (“OEB”) review and vary portions of the December 21, 2023 Decision and Order in EB-2022-0200.

As set out in the Notice of Motion, Enbridge Gas requests that the OEB provide an opportunity for submissions on the Motion, and on any preliminary process that the OEB might undertake to consider the “threshold question” under Rule 43.01 of the OEB’s *Rules of Practice and Procedure*.

Enbridge Gas requests that the OEB create a process for the hearing of the Motion that allows for oral submissions. Enbridge Gas notes that this approach has been adopted in earlier motions for review and variance. The process followed has been that the moving party files written submissions and other parties have the opportunity to file responding written submissions, and then an oral hearing is held at which the moving party makes submissions and the OEB can ask questions. Examples of where this process has been directed are EB-2010-0003 and EB-2018-0085.

Enbridge Gas notes that its Notice of Motion requests an order or orders staying portions of the December 21, 2023 Decision and Order. Further details and explanation will be provided in submissions on the Motion, or earlier if necessary. In the meantime, Enbridge Gas plans to file the Draft Rate Order for interim rates with the OEB in February 2024 (a separate letter is being filed today requesting a short extension to the timeline set out in the Decision and Order).

Please let us know if you have any questions.

Yours truly,

AIRD & BERLIS LLP



David Stevens

c: Ian Richler, counsel to OEB
all parties in EB-2022-0200