



**EB-2010-0175**

**IN THE MATTER OF** the Ontario Energy Board Act 1998,  
S.O. 1998, c.15, (Schedule B);

**AND IN THE MATTER OF** an application by Enbridge Gas  
Distribution Inc. for an order or orders approving its 2011  
Demand Side Management Plan.

**BEFORE:** Marika Hare  
Presiding Member

Paula Conboy  
Member

### **DECISION AND ORDER**

Enbridge Gas Distribution Inc. (“Enbridge”) filed an application with the Ontario Energy Board (the “Board”) dated May 28, 2010, seeking an order granting approval of its 2011 Natural Gas Demand Side Management (“DSM”) plan. The Board assigned File No. EB-2010-0175 to this application.

On September 24, 2010, the Board issued its Decision and Order approving Enbridge’s application for its 2011 DSM plan. In its Decision and Order, the Board stated that it expected Enbridge to file an amendment to its 2011 DSM plan which recognizes the government’s policy with respect to increased conservation programs for low income consumers, as expeditiously as possible. The low income amendment was filed on November 11, 2010.

On November 26, 2010, the Board issued Procedural Order No. 2. The Board decided to hear the low income amendment to Enbridge’s 2011 DSM plan as a second phase to the proceeding. The Board will only be addressing the low income amendment to

Enbridge's 2011 DSM plan; all other matters related to the 2011 DSM plan have been addressed in the first phase.

Procedural Order No. 2 directed Enbridge to serve a copy of its low income amendment to its DSM plan on all intervenors in the current 2011 DSM plan proceeding.

Intervenors in Enbridge's original 2011 DSM plan application did not need to request intervenor status again and remained eligible to participate in the proceeding.

Procedural Order No. 2 also outlined that because Enbridge consulted extensively with stakeholders in completing the low income amendment to its DSM plan, interrogatories were not considered necessary and that the Board would only seek submissions from parties.

Written submissions from intervenors were to be filed with the Board by December 6, 2010. Submissions were received from Green Energy Coalition ("GEC"), Industrial Gas Users Association ("IGUA"), and Low-Income Energy Network ("LIEN").

GEC and LIEN both offered their support for approval of Enbridge's low income amendment to its DSM plan.

IGUA had no objection to the low income amendment, subject to the following point of clarification. In its submission, IGUA requested confirmation that Enbridge's incremental low income DSM plan budget (including any variance), and the LRAM amounts and incentive payments associated with the low income DSM plan, would be recovered from Rate 1 Residential customers. In its reply submission, Enbridge confirmed that that such amounts will be allocated to the Rate 1 Residential customers consistent with the Board's allocation methodologies.

Intervenors also submitted that because the low income amendment was developed in the context of the current DSM framework, offering support for approval of the low income amendment should therefore not necessarily be indicative of the approach preferred under a new DSM framework.

### **Board Findings**

The Board finds that Enbridge's proposal for its low income amendment to its 2011 DSM plan is generally consistent with the approved DSM framework established in the Generic DSM Proceeding. The Board therefore approves Enbridge's low income

amendment to its 2011 DSM plan. The Board would again like to commend Enbridge's commitment to working with stakeholders in the DSM Consultative and with the low income working group chosen by the Enbridge DSM Consultative. The Board is aided by full and complete stakeholder consultation prior to the filing of the 2011 low income amendment.

Intervenors eligible for an award of costs shall file their cost submissions in accordance with the *Practice Direction on Cost Awards* with the Board Secretary and with Enbridge within **15 days** of the date of this Decision and Order. Enbridge may make submissions regarding the cost claims within **30 days** of this Decision and Order and the intervenors may reply within **45 days** of this Decision and Order. A decision and order on cost awards and the Board's own costs will be issued in due course.

**THE BOARD ORDERS THAT:**

Enbridge Gas Distribution Inc. is granted approval of its updated 2011 DSM plan inclusive of the low income amendment to its 2011 DSM plan filed on November 11, 2010.

**DATED** at Toronto, December 20, 2010

ONTARIO ENERGY BOARD

*Original signed by*

Kirsten Walli  
Board Secretary