

BOARD STAFF INTERROGATORY #6

INTERROGATORY

Reference: Exhibit A, Tab 1, Schedule 3, p. 10

Preamble:

Enbridge states: The EC was selected with no EAC or utility input or consultation.

Questions:

- a) In the August 21, 2015 letter from the OEB to DSM stakeholders, as referenced at Exhibit A, Tab 1, Page 7 of 48 of Enbridge's application, the OEB states that the role of OEB is to include, amongst other responsibilities, "...selecting a third party Evaluation Contractor (the EC)." Please describe how OEB Staff's selection of DNV GL (the EC) without EAC or utility input was not appropriate.
- b) Please confirm whether or not all members of the EAC were invited to provide input on the RFP's Scope of Work used to procure the EC to evaluate the 2015 program year.
- c) Please confirm whether or not all members of the EAC were invited to provide input on the Scopes of Work used to procure other supporting evaluation contractors for the 2016 and 2017 program years.
- d) Please confirm whether or not Enbridge is aware that a non-utility member of the EAC participated in the latest round of EM&V procurements related soliciting evaluation contractors for 2016 and 2017 program years.

RESPONSE

- a) Enbridge's preamble above did not state that OEB Staff's selection of DNV was not appropriate. It stated, factually, that the EC ("DNV") was selected with no EAC or utility input or consultation. However, acknowledging that the August 21, 2015 letter from the Board outlining the 2015 to 2020 DSM Evaluation Process outlines that the OEB's role includes selecting a third party Evaluation Contractor; the letter further specifies that the role of the EAC is to "provide input and advice to the OEB on the

Witnesses: D. Bullock
D. Johnson

evaluation and audit of DSM results.”¹

As such, Enbridge is of the view that the review and consideration of consultant/contractor proposals (in respect to the overall Evaluation Contractor or any other evaluator / verifier) for the execution of evaluation activities, including consideration of budgets and assessment of appropriate selection criteria, are determinations that, among all evaluation and audit activities, are appropriately determined with input and advice from the EAC (including the utilities as representatives on the committee).

- b) Confirmed.
- c) Enbridge confirms that EAC representatives were invited to provide input on the Scopes of Work used to procure other supporting evaluation contractors for the 2016 and 2017 program years. The EAC was not however privy to specific details in the RFPs. In addition, the EAC generally was not provided with any information on the proposals received or the criteria or process undertaken to select winning proponents.
- d) Enbridge confirms that a single non-utility member of the EAC participated in the latest round of EM&V procurements at the specific invitation to that representative from Board Staff and at the exclusion of the remainder of the EAC. Enbridge sees no guidance in the Board’s letter outlining the roles of the parties in the new governance structure that supports differentiated or preferential inclusion of one member of the EAC over the others.

¹ EB-2015-0245, Letter from the Board, 2015-2020 DSM Evaluation Process of Program Results, August 21, 2015, page 2.

Witnesses: D. Bullock
D. Johnson