**Commentary on Bill 165**

I’m a member of First Unitarian Congregation of Ottawa, a faith community with approximately 300 members. Our seventh religious principle calls upon us to have respect for the interdependent web of existence of which we are all a part. As such, we have an Environmental Action Group which acts on the congregation’s deep concern about climate change. We have just come through a four-year climate crisis focus as a congregation and many of our members have installed heat pumps, among other actions, to avoid the use of fossil fuels at their homes.

I therefore take an interest Bill 165. Before I comment on the four issues raised in the ERO posting, I would like to respond to the insinuation that the Ontario Energy Board (OEB) has over-stepped its mandate and is now developing provincial government policy. I feel that the OEB has reflected, not developed, government policy in the decision and order delivered on December 21, 2023 regarding phase one of Enbridge’s rate rebasing hearings. As evidence I suggest that the government look no further than Minister’s October 21, 2022 Letter of Direction to the energy board Chair which stated that “The transition period is ending at a time when the OEB’s role as energy regulator has never been more important: the push for further electrification and the transition to cleaner energy sources will require innovation and leadership from the OEB.”1 More broadly I note that the OEB and its commissioners were simply applying the Made in Ontario Climate Plan with respect to following provincial government policy at the recent Enbridge gas re-basing hearings.

Regarding the specific items raised by the ERO consultation, I hereby comment as follows:

1. On further consultation by the OEB: While consultation can and should always be improved, the OEB’s success in consultation at all engagements is notable. In the recent Enbridge gas re-basing hearings for example, 33 intervenors from broad swaths of society and scores of letters of comment were placed into the hearing records. If other groups are to be invited to participate in hearings, then all parts of civil society must be invited including environmental and community energy groups as well as Indigenous nations and municipalities.
2. On the OEB holding generic hearings at Cabinet request: This should be limited to areas where the OEB has a history of running such hearings or such work fits within it’s mandate. The independence of the OEB should not be impacted by this practice and it needs to be clear that the OEB is a regulator, not a consultant.
3. On the Minister providing the “revenue horizon” for residential, small commercial and other customers: Setting the revenue horizon is a complicated and intricate issue which involves a review of past hearings, analysis of filed data and expert testimony. Establishing a revenue horizon even temporarily, is work which should be the exclusive purview of the OEB. OEB commissioners should never be wondering if their independence will or won’t be respected as they go about their duties.

1. On certain cost allocations in leave to construct applications in gas transmission projects: I note that the need to end fossil subsidies is recommended by many organizations as a vital action to address the (human) existential threat of climate change. The International Monetary Fund is just one such organisation [recommending an end to fossil fuel subsidies.](https://www.imf.org/en/Topics/climate-change/energy-subsidies)

I thank the province for this opportunity to comment. I recommend that you contact First Unitarian congregation of Ottawa’s Environmental Action Group at [Bowen.Willer@sympactico.ca](mailto:Bowen.Willer@sympactico.ca) should you have any issues you’d like to discuss.

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1 Ministry of Energy, Office of the Minister. 77 Grenville Street, 10th Floor. Toronto, ON M7A 2C1. Letter to Mr. Richard Dicerni, incoming OEB Chair.