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BY E-MAIL

October 11, 2018

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
BoardSec@oeb.ca

Dear Ms. Walli:

**Re: OEB Staff Interrogatories
Enbridge Gas Distribution Inc.
Don River 30" Pipeline Project
OEB File No. EB-2018-0108**

Please accept OEB staff's interrogatories to the applicant in this proceeding.

Yours truly,

Original signed by

Ritchie Murray
Project Advisor

Cc (by email):

Andrew Mandyam egdregulatoryproceedings@enbridge.com
Guri Pannu guri.pannu@enbridge.com

**ENBRIDGE GAS DISTRIBUTION INC.
DON RIVER 30" PIPELINE LEAVE TO CONSTRUCT
EB-2018-0108**

OEB STAFF INTERROGATORIES

Interrogatory # 1

Ref: Exhibit B, Tab 1, Schedule 1, page 1

Preamble:

Enbridge Gas Distribution Inc. (Enbridge) requests leave to construct approximately 350 meters nominal pipe size 30-inch natural gas pipeline in the City of Toronto (Project).

Questions:

- a) Please provide a reference number for the applicable Municipal Franchise Agreement(s).
- b) Please provide a reference number for the applicable certificate(s) of public convenience and necessity.

Interrogatory #2

Ref: Exhibit B, Tab 1, Schedule 1, page 13

Preamble:

Figure 3 identifies that the risk values under the safety dimensions Individual Risk (IR) and Societal Risk (SR) are both above the risk limit, placing them in the intolerable region, which necessitates a plan and timing for remediation actions for the infrastructure bridge (Bridge).

Question:

Please define the acronym LRROI and explain its significance in the context of this application.

Interrogatory #3

Ref: Exhibit B, Tab 1, Schedule 1, page 20

Preamble:

Enbridge states that the proposed pipeline will be mostly located on previously disturbed municipal right-of-way in Toronto. The balance of the route will require Enbridge to obtain land easements from existing owners.

Question:

For clarity, please confirm if the last sentence means that Enbridge will need to obtain new or revised easements from landowners with whom Enbridge has existing easement agreements. Or, if this sentence has a different meaning, please explain.

Interrogatory #4

Ref: Exhibit B, Tab 1, Schedule 1, Attachment 2, pages 10 and 23-30

Preamble:

The Stantec report characterizes the Bridge's structural deterioration as "minor". However, the Definition of Concrete Defects Severity uses the terms Light, Medium, Severe and Very Severe.

Question:

Please confirm that "minor" corresponds to "light". If not, please explain.

Interrogatory #5

Ref: Exhibit B, Tab 1, Schedule 1, Attachment 3, Appendix 2, page 10

Preamble:

Based on sparse historical information of 40 extreme winter events for the last 200 years, ice conditions with ice thickness of 0.3 m and ice jams were assumed to have an approximate probability of occurring in Don River in 1 in 5 winters.

Question:

- a) Please elaborate on the sources of information and the rationale behind the assumption of ice thickness of 0.3 m occurring in 1 in 5 winters.
- b) Please explain to what degree this is a conservative assumption. Has a safety factor been applied? If so, what is that factor?

Interrogatory #6

Ref: Exhibit C, Tab 1, Schedule 1, Attachment 1

Preamble:

The New Preferred Route appears to have a sharp angle near Bayview Avenue.

Question:

Please confirm that the New Preferred Route is capable of being in-line inspected.

Interrogatory #7

Ref: Exhibit C, Tab 1, Schedule 2, page 1

Preamble:

At the time the application was filed, Enbridge's Environmental Protection Plan (EPP) was being developed.

Question:

Please file the EPP for this project. If that is not possible, please explain.

Interrogatory #8

Ref: Exhibit C, Tab 1, Schedule 3, page 1

Preamble:

Copies of the Environmental Reports were resubmitted to the Ontario Pipeline Coordination Committee (OPCC) on April 6, 2018. Enbridge received two comments from the Ministry of Natural Resources and Forestry.

Question:

Please file an update (in tabular format) of any additional comments that Enbridge has received from OPCC members as part of or subsequent to the OPCC review. Include the dates of communication, the issues and concerns identified by the parties, as well as Enbridge's responses and actions to address these issues and concerns.

Interrogatory #9

Ref: Exhibit B, Tab 1, Schedule 1, page 1
Exhibit C, Tab 1, Schedule 2, pages 1-3
Exhibit C, Tab 1, Schedule 3, Appendix 5, page 12

Preamble:

The segment of pipeline to be replaced is located on the Bridge which is owned by Enbridge and spans the Don River. Enbridge has determined that the Bridge should be removed. Costs related to removal of the Bridge have not been included in the immediate application. Discussions with Bell and the City of Toronto have begun regarding the removal of their assets from the Bridge.

Enbridge has indicated to the Ministry of Tourism Culture and Sport (MTCS) that it has no immediate plans to demolish or modify the Bridge at this time. The City of Toronto appears to have made Enbridge's commitment to remove the Bridge a condition of its approval. The Toronto and Region Conservation Authority (TRCA) has indicated that its support for the Project is contingent on removal of the bridge. Enbridge has indicated to the TRCA that removal of the Bridge is in its asset plan.

Questions:

- a) Please provide an update on Enbridge's plans (actions and timing) for the removal of the Bridge.
- b) Please provide a cost estimate for the removal of the Bridge.
- a) How does Enbridge propose to finance the removal of the Bridge? Does Enbridge anticipate that the City of Toronto, Bell and/or anyone else would contribute to the cost of removing the Bridge? Please explain.
- c) Does Enbridge anticipate making an application to the OEB for cost recovery associated with removal of the Bridge? If so, please explain including comments on the means and timing of this request.
- d) Assuming the gas pipeline has been removed from the Bridge, does Enbridge believe that the Bridge itself would pose a safety risk(s) to people, property or the environment that would require removal of the Bridge? Please explain.

Interrogatory #10

Ref: Exhibit C, Tab 1, Schedule 4, page 1

Preamble:

The Stage 1 Archaeological Assessment (AA) was finalized on April 4, 2018 and was submitted to the MTCS. At the time Enbridge filed its application, the Stage 1 AA had yet to be reviewed by the MTCS and accepted into the Ontario Public Register of Archaeological Reports.

Question:

Please provide an update on any communication with the MTCS regarding the Stage 1 AA.

Interrogatory #11

Ref: Exhibit D, Tab 2, page 1

Preamble:

The estimated total project cost is approximately \$25.6 million and includes a 30% contingency applied to all direct costs.

Questions:

- a) Please explain the need for a 30% contingency.
- b) If the need for a 30% contingency was the result of uncertainties associated with the stage of planning and design the project was in at the time of the application, please provide an updated estimate for the contingency based on the latest available information.
- c) If applicable, please provide an updated total capital cost that accounts for any change in the contingency.
- d) Please compare the total capital cost of the project to two or more comparable projects completed by Enbridge in the last 15 years. At a minimum, please provide the following information:
 - i. What was the forecast cost?
 - ii. What was the assumed contingency?
 - iii. What was the actual cost?

Interrogatory #12

Please provide commentary on the two or three next best alternatives to the proposed Project (excluding routing alternatives) including cost estimates, timelines, and environmental impacts (e.g., natural, built, cultural, social, economic).

Interrogatory #13

Ref: Exhibit E, Tab 1, Schedule 3, page 1

Preamble:

A portion of the proposed route for the NPS 30 will be located within the public road allowance. The remainder of the proposed route will be located on municipal lands and easements will be required from the City of Toronto, TRCA and one private land owner.

Question:

Please provide an update on formal land use negotiations.

Interrogatory #14

Ref: Exhibit E, Tab 1, Schedule 3, Attachments 1-3

Preamble:

The forms of land use agreement that Enbridge will offer to the landowners were included in the application.

Questions:

- a) If applicable, please provide the docket number(s) for the proceeding(s) in which these agreements were last approved by the OEB.
- b) If applicable, please comment on whether these agreements have been modified since the last time they were approved by the OEB?

Interrogatory #15

Ref: Exhibit F, Tab 1, Schedule 1, pages 1-7

Preamble:

The MOE has delegated to Enbridge the procedural aspects of the Crown's duty to consult for this project.

Question:

Please provide an update on communications with MOE regarding the sufficiency of Enbridge's activities with respect to the duty to consult.

Interrogatory #16

Ref: Pre-filed Evidence, page 1

Enbridge applied for leave to construct facilities under section 90(1) of the OEB Act.

Question:

OEB staff has prepared the following draft Conditions of Approval. If Enbridge does not agree to any of the draft conditions of approval noted below, please identify the specific conditions that Enbridge disagrees with and explain why.

For conditions in respect of which Enbridge would like to recommend changes, please provide the proposed changes.

Draft
Leave to Construct Conditions of Approval
Application under Section 90 of the OEB Act
Enbridge Gas Distribution Inc.
EB-2018-0108

1. Enbridge Gas Distribution Inc. (Enbridge) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2018-0108 and these Conditions of Approval.
2. (a) Authorization for leave to construct shall terminate 18 months after the decision is issued, unless construction has commenced prior to that date.

(b) Enbridge shall give the OEB notice in writing:
 - i. Of the commencement of construction, at least ten days prior to the date construction commences
 - ii. Of the planned in-service date, at least ten days prior to the date the facilities go into service
 - iii. Of the date on which construction was completed, no later than 10 days following the completion of construction
 - iv. of the in-service date, no later than 10 days after the facilities go into service
3. Enbridge shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
4. Enbridge shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Enbridge shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
5. Concurrent with the final monitoring report referred to in Condition 6(b), Enbridge shall file a Post Construction Financial Report, which shall indicate the actual capital costs of the project and shall provide an explanation for any significant variances from the cost estimates filed in this proceeding. Enbridge shall also file a copy of the Post Construction Financial Report in the proceeding where the actual capital costs of the project are proposed to be included in rate base or any proceeding where Enbridge proposes to start collecting revenues associated with the project, whichever is earlier.

6. Both during and after construction, Enbridge shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:
 - a) a post construction report, within three months of the in-service date, which shall:
 - i. Provide a certification, by a senior executive of the company, of Enbridge's adherence to Condition 1
 - ii. Describe any impacts and outstanding concerns identified during construction
 - iii. Describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction
 - iv. Include a log of all complaints received by Enbridge, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
 - v. Provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project
 - b) a final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
 - i. Provide a certification, by a senior executive of the company, of Enbridge's adherence to Condition 3
 - ii. Describe the condition of any rehabilitated land
 - iii. Describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction
 - iv. Include the results of analyses and monitoring programs and any recommendations arising therefrom
 - v. Include a log of all complaints received by Enbridge, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions