

**Enbridge Gas Inc.**

**Application for approval to construct a natural gas  
pipeline and associated facilities in the Municipality of  
Chatham-Kent and the Towns of Lakeshore and  
Tecumseh**

**PROCEDURAL ORDER NO. 3**

**November 22, 2019**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on August 9, 2019 under section 90(1) of the *Ontario Energy Board Act, 1998, (Act)* for approval to construct approximately 64 kilometres of natural gas pipeline and ancillary facilities in the Municipality of Chatham-Kent and the Towns of Lakeshore and Tecumseh (Project). Enbridge Gas also applied to the OEB under section 97 of the Act for approval of the form of agreement it will offer to landowners to use their land for routing or construction of the proposed pipeline and ancillary facilities.

The OEB issued a Notice of Hearing on September 13, 2019. Each of Energy Probe Research Foundation (Energy Probe) and the Federation of Rental-housing Providers of Ontario (FRPO) were approved as intervenors. In Procedural Order No. 1, issued on October 11, 2019, the OEB made provision for the filing of interrogatories, interrogatory responses and submissions by parties.

On November 11, 2019, FRPO filed a letter requesting a technical conference, stating that, in its view, the record of this case is not sufficient to determine if the level of expenditure forecasted is warranted.

The OEB issued Procedural Order No. 2 on November 13, 2019, which sought submissions from parties on the merits of FRPO's request, and suspended the dates set out in Procedural Order No. 1 for submissions on the application.

OEB staff agreed with FRPO that if the OEB were inclined to explore a hybrid alternative for some sections of the Project, a timely exploration through a technical conference may be helpful. Energy Probe supported FRPO's request for a technical conference on alternatives, further noting that there is insufficient evidence on the record regarding integrity issues. Enbridge Gas submitted that no further discovery was required as downsizing any portion of the Project to NPS 4 would limit future growth and create a bottleneck on the system. Enbridge Gas also submitted that there was ample evidence on the record regarding integrity concerns regarding the pipeline.

FRPO's reply submission reiterated its request for a technical conference stating that there had been no clarity regarding the appropriate design sizing. FRPO also noted that the Windsor Line pipeline meets the needs of two distinct markets but that Enbridge Gas had not distinguished this segmentation.

The OEB has determined that a technical conference would be of assistance to the parties and the OEB in clarifying some of the specific project design issues including project alternatives and their relationship to the OEB's requisite determination of the leave to construct application in accordance with the public interest. The OEB will make provision for a one-day technical conference. The OEB will issue directions for final written submissions by the parties and the applicant following the technical conference.

#### **IT IS THEREFORE ORDERED THAT:**

1. A transcribed technical conference will be held **December 5, 2019** starting at 9:30 a.m. in the OEB's Offices at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, Ontario. Parties intending to participate are to provide Enbridge Gas, and copy all parties, the topical areas for questioning by December 2, 2019.

All materials filed with the OEB must quote the file number, **EB-2019-0172**, be made in a searchable/unrestricted PDF format and sent electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have computer access are required to file seven paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Judith Fernandes at [Judith.Fernandes@oeb.ca](mailto:Judith.Fernandes@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

**ADDRESS**

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**DATED** at Toronto, November 22, 2019

**ONTARIO ENERGY BOARD**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary