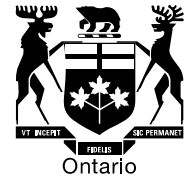


**Ontario Energy
Board**
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'Énergie
de l'Ontario**
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY EMAIL

February 6, 2009

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited - Leave to Construct Application
Guelph Reinforcement Phase II
Board File No. EB-2008-0364**

Please see attached Board Staff Interrogatories for the above proceeding.

Yours truly,

Original Signed by

Josh Wasylyk
Applications Analyst

cc All Parties in EB-2008-0364

Board Staff Interrogatories
Guelph Reinforcement Project Phase II
Union Gas Limited
EB-2008-0364

General Issues

1. Reference: Pre-filed Evidence/ Page 3 of 12

Please discuss the reliability of Union's Facilities Business Plan with respect to the forecasted 10-year growth of the study area (Schedule 3). In your reply, please indicate the forecasting methodology underlying the growth study; why this particular forecasting method was chosen by Union; how Union selected this methodology; and how long Union has been using this approach. Please also advise if Union is aware of or reviewed other alternative growth forecast studies, and provide copies of such studies if available.

2. Reference: Schedule 11/ Page 1 of 1

The referenced table shows detailed construction schedules for the projects.

- a) Please verify that these schedules remain as stated.
- b) If there are any changes, please provide an explanation for the schedule change.

Monitoring

3. Reference: Pre-filed Evidence/ Page 11 of 12

Union states that it "will obtain approval from the Grand River Conservation Authority for all watercourses crossed as part of this project."

- a) Please confirm that all the appropriate notifications, permits and approvals have been acquired for this project.

- b) If the appropriate notifications, permits and approvals have not been acquired, please specify which permits remain outstanding, the reasons for these delays in acquiring the permits, and when they are expected to be acquired.
4. Please provide a status update on consultations with Aboriginal groups with regard to the following points:
- a) Identify all of the Aboriginal groups that have been contacted in respect of this application.
 - b) Indicate:
 - i) how the Aboriginal groups were identified;
 - ii) when contact was first initiated;
 - iii) the individuals within the Aboriginal group who were contacted, and their position in or representative role for the group;
 - iv) a listing, including the dates, of any phone calls, meetings and other means that may have been used to provide information about the project and hear any interests or concerns of Aboriginal groups with respect to the project.
 - c) Provide relevant information gathered from or about the Aboriginals as to their treaty rights, or any filed and outstanding claims or litigation concerning their treaty rights or treaty land entitlement or aboriginal title or rights, which may potentially be impacted by the project.
 - d) Provide any relevant written documentation regarding consultations, such as notes or minutes that may have been taken at meetings or from phone calls, or letters received from, or sent to, Aboriginal groups.
 - e) Identify any specific issues or concerns that have been raised by Aboriginal groups in respect of the project and, where applicable, how those issues or concerns will be mitigated or accommodated.

- f) Explain whether any of the concerns raised by Aboriginal groups with respect to the applied-for project have been discussed with any government department or agencies, and if so, identify when contacts were made and who was contacted.
- g) If any of the Aboriginal groups who were contacted either support the application or have no objection to the project proceeding, identify those groups and provide any available written documentation of their position. Also, indicate if their positions are final or preliminary or conditional in nature.
- h) Provide details of any know Crown involvement in consultations with Aboriginal groups in respect of the applied-for project.

Conditions of Approval

5. Please review and provide any concerns and/or comments on the draft conditions of approval as set out below:

Draft Conditions of Approval

Leave to Construct

1 General Requirements

- 1.1 Union Gas Limited ("Union") shall construct the facilities and restore the land in accordance with its application and the evidence filed in EB-2008-0364, except as modified by this Order and these Conditions of Approval.
- 1.2 Unless otherwise ordered by the Board, authorization for Leave to Construct shall terminate December 31, 2009, unless construction has commenced prior to then.
- 1.3 Except as modified by this Order, Union shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee ("OPCC") review.
- 1.4 Union shall advise the Board's designated representative of any proposed material change in construction or restoration procedures and, except in an emergency, Union shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.

2 Project and Communications Requirements

- 2.1 The Board's designated representative for the purpose of these Conditions of Approval shall be the Manager, Facilities.
- 2.2 Union shall designate a person as project engineer and shall provide the name of the individual to the Board's designated representative. The project engineer will be responsible for the fulfilment of the Conditions of Approval on the construction

site. Union shall provide a copy of the Order and Conditions of Approval to the project engineer, within seven days of the Board's Order being issued.

- 2.3 Union shall give the Board's designated representative and the Chair of the OPCC ten days written notice in advance of the commencement of the construction.
- 2.4 Union shall furnish the Board's designated representative with all reasonable assistance for ascertaining whether the work is being or has been performed in accordance with the Board's Order.
- 2.5 Union shall file with the Board's designated representative notice of the date on which the installed pipelines were tested, within one month after the final test date.
- 2.6 Union shall furnish the Board's designated representative with five copies of written confirmation of the completion of construction. A copy of the confirmation shall be provided to the Chair of the OPCC.

3 Monitoring and Reporting Requirements

- 3.1 Both during and after construction, Union shall monitor the impacts of construction, and shall file four copies of both an interim and a final monitoring report with the Board. The interim monitoring report shall be filed within six months of the in-service date, and the final monitoring report shall be filed within fifteen months of the in-service date. Union shall attach a log of all complaints that have been received to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.

- 3.2 The interim monitoring report shall confirm Union's adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.
- 3.3 The final monitoring report shall describe the condition of any rehabilitated land and the effectiveness of any mitigation measures undertaken. The results of the monitoring programs and analysis shall be included and recommendations made as appropriate. Any deficiency in compliance with any of the Conditions of Approval shall be explained.

4 Easement Agreements

- 4.1 Union shall offer the form of agreement approved by the Board to each landowner, as may be required, along the route of the proposed work.

5 Other Approvals and Agreements

- 5.1 Union shall obtain all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project, shall provide a list thereof, and shall provide copies of all such written approvals, permits, licences, and certificates upon the Board's request.