



EB-2007-0692

IN THE MATTER OF the *Ontario Energy Board Act*
1998, S.O.1998, c.15, (Schedule B);

AND IN THE MATTER OF section 99(1) of the Act

AND IN THE MATTER OF an application by
Enbridge Gas Distribution Inc. for authority to
expropriate land for the purposes of natural gas
pipeline to supply gas to Portland Energy Centre
generating station in the City of Toronto .

PROCEDURAL ORDER NO. 1

Enbridge Gas Distribution Inc. (the “Applicant” or “Enbridge”) has filed an application dated July 20, 2007, with the Ontario Energy Board (the “Board”) under section 99 of the *Ontario Energy Board Act 1998*, S.O. 1998, c. 15 (Schedule B) (the “Act”) for approval to expropriate lands for the construction of a natural gas pipeline to supply gas to the Portlands Energy Centre generating station (“PEC”) in the City of Toronto (the “Application”). The Board has assigned File No. EB-2007-0692 to the Application.

On June 1, 2007 the Board issued an order (EB-2006-0305), pursuant to subsection 96 (1) of the Act, granting Enbridge leave to construct approximately 6.5 kilometres of 36 inch diameter pipeline (the “North Section”) and approximately 2.9 kilometres of 20 inch diameter pipeline that would interconnect the Don Valley Line at Enbridge’s Station B regulator station and would terminate at the Portlands Energy Centre (the “South Section”) in the City of Toronto. The construction of the pipeline commenced in the summer of 2007 and is scheduled to be in-service in February of 2008.

Enbridge has been unable to secure the easement rights necessary to construct the South Section of the pipeline on four parcels of property owned by City of Toronto Economic Development Corporation (“TEDCO”) and seeks the approval of the Board to expropriate the land needed for three permanent easements and one temporary working easement, all of which are necessary to build the pipeline needed to supply the PEC.

The Board’s Notice of Application was issued on August 16, 2007 (the “Notice”). The Board directed Enbridge to serve the Notice and the Application along with the pre-filed evidence on all affected parties including TEDCO.

The Board will permit those granted intervenor status (the “intervenors”) to file evidence on matters relevant to the proceeding. Following the filing of such evidence, the Board will convene a Technical Conference in Toronto to provide a forum for all parties to ask questions on Enbridge’s evidence and on intervenor evidence. The Technical Conference will be transcribed. The Board has determined that an oral hearing of this matter will take place at Board’s offices in Toronto.

The Board considers it necessary to make provision for the following procedural matters. Further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Intervenors and Board staff who wish to submit evidence shall file their evidence on or before **Friday, August 31, 2007.**
2. A **Technical Conference**, involving Board staff, intervenors and Enbridge, will be convened in the Board’s North Hearing room located on the 25th floor, 2300 Yonge Street, Toronto on **Friday, September 7, 2007 at 9:30 a.m.** At this conference Enbridge will provide an overview of its pre-filed evidence and there will be an opportunity for questions by intervenors and Board staff; similarly there will be an opportunity for Enbridge, the intervenors and Board staff to ask questions about the intervenor evidence. The Technical Conference will be transcribed.

3. An **oral hearing** will be held on **Friday, September 14, 2007** commencing at 9:30 a.m. at the Board's North Hearing room located on the 25th floor, 2300 Yonge Street, Toronto.
4. All parties filing material must provide ten hard copies and one electronic copy in searchable PDF format to the Board Secretary at boardsec@gov.on.ca, **by 4:45pm on the date indicated**, and copy all parties.

DATED at Toronto, August 21, 2007.

ONTARIO ENERGY BOARD

Original Signed By

Peter H. O'Dell
Assistant Board Secretary