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Ms. K. Walli, Board Secretary,

Ontario Energy Board

FROM: Harten Consulting (H. Tenenbaum) T: (416) 691 4167
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DETAILS:

Copy of interrogatories RE File No. EB-2009-0187

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December 10, 2009.

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Sent by: Fax: 416-440-7656
Sent by E-mail: boardsec@oeb.gov.on.ca

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. - Leave to Construct Pipeline to Serve the
Proposed York Energy Centre Board File No. EB-2009-0187**

**Harten Consulting requests that Enbridge Gas Distribution Inc. supply responses to
the following interrogatories:**

1. Documentation indicating how the twenty-two route criteria were evaluated and why the preferred route was selected.
 - a) The criteria included feed-back from interested parties; we request copies of their feed-back.
2. Stantec has stated that, "*... the pipeline should be in an area compatible with the existing zoning by-laws and proposed plans for that municipality.*"

How does the pipeline comply with all existing zoning by-laws, including Greenbelt, Oak Ridges Moraine, and applicable provincial, regional, and municipal legislation?
3. Current studies detailing how rare or endangered species would be affected by the proposed pipeline and any remedial actions to be taken.
4. Studies on how flora and fauna would be affected by the proposed pipeline and any remedial actions to be taken.
5. a) Correspondence with the Holland Marsh Growers Association and any current studies conducted relating to impact on agricultural activities in the Holland Marsh.
 - b) Impacted wetlands and proposed restorative measures.

6. The number of individual properties within 50 metres of the pipeline.
7. The rights of property owners wishing to connect to the Enbridge line.
8. List of water courses to be traversed and any applicable legislation.
9. a) In the event of a fracture and explosion along the pipeline route what would be the radius of damage in a worst case scenario?

b) What is the contingency plan for such an event?
10. a) If any blasting is required in construction of the pipeline, what is the plan for testing wells for suspended solids?

b) How would the structural integrity of buildings within a designated distance be verified?
11. a) Will pre and post construction studies on the level and quality of ground water wells within 200 meters of the centre line of the pipeline route be made available?

b) What are the anticipated volumes of water that will be extricated as part of the dewatering process?

c) What studies have been conducted to determine any environmental impacts as a result of dewatering?
12. A copy of the Enbridge decommissioning plan for the pipeline.
13. Copies of applications made by Enbridge for required permits listed under "AUTHORITY."
14. A list of roadways and rail lines the pipeline will traverse and copies of any governing legislation.
15. Copies of any correspondence with the Lake Simcoe Regional Conservation Authority.
16. The *Oak Ridges Moraine Conservation Plan* states, "*A minimum 30 metre vegetation protective zone must be established next to all wetlands. An application for development or site alteration that is proposed on any land that is located within 120 metres of said wetlands, but beyond the minimum vegetation protective zone, must be accompanied by a natural heritage evaluation. This study, prepared in accordance with Section 23 of the ORMCP, may require a large vegetation protection zone or design restrictions.*"
Please indicate how Enbridge will comply with this requirement.

17. a) A list of comparable size [435 mw] Peaker Plants in Ontario currently being supplied by Enbridge including the pipeline dimensions, capacity, pressure, and the number of hours of operation of those listed Peaker Plants supplied in the past twelve months.

b) A list of pipelines in Ontario of comparable pressure to the proposed pipeline including dimensions and capacity.

18. a) How does Enbridge plan to recoup capital costs and operating costs of the proposed pipeline?

b) What is the capital cost and how is it to be allocated?

c) What is an estimate of all other allocated costs?

d) What is the basis of cost allocation?

19. What would the total cost if the pipeline is utilized 0%, 10%, 50%, and 100% during a one year period?

20. Is there any minimum quantity of gas that the customer YEC is obligated to accept?

21. What provisions exist in signing an easement agreement with a property owner if the property is mortgaged?

22. Enbridge costs include the installation and commissioning of the distribution line and related infra-structure costs to service a terminal location.

a) Is an estimated breakdown of these costs including details on allocated infra-structure, operational, and administrative costs available?

b) How was the CIAC of 12.3 million calculated?

c) Do costs include decommissioning of the pipeline and what would these decommissioning costs be?

23. Were any additional financial assurances requested from the customer?

24. a) How are Enbridge's capital costs and all other costs incorporated in its billing?

b) Are any of these costs incorporated by Enbridge into ratepayers' bills?

25. Does Enbridge believe that its environmental screening process would meet the standards of an individual environmental assessment under the Environmental Assessment Act?

Respectfully yours,



Harvey Tenenbaum
Harten Consulting

HT: jt

cc: Norm Ryckman
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