

HARTEN CONSULTING INTERROGATORY #1

INTERROGATORY

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

RESPONSE

Documentation which indicates how the route criteria were evaluated and how the final route was selected is contained within the Environmental Report found in Exhibit B, Tab 2, Schedule 2, specifically Section 5 (Route Selection).

a) Copies of interested party feedback are contained in the Environmental Report found in Exhibit B, Tab 2, Schedule 2, specifically Appendix A1 (Summary of Stakeholder and Agency Consultation) and Appendix A4 (Public Information Sessions). In addition, a summary of consultation relating to selection of the Preferred Route is found in Sections 5.4 and 5.6 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

HARTEN CONSULTING INTERROGATORY #2

INTERROGATORY

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?

RESPONSE

Please see responses to Board Staff Interrogatory #5 and #6 found at Exhibit H, Tab 1, Schedule 5 and Schedule 6.

HARTEN CONSULTING INTERROGATORY #3

INTERROGATORY

Current studies detailing how rare or endangered species would be affected by the proposed pipeline and any remedial actions to be taken.

RESPONSE

Impacts to rare or endangered species from the proposed pipeline and any remedial actions to be taken are documented in Sections 3.3.3.6 and 6.2.4 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

HARTEN CONSULTING INTERROGATORY #4

INTERROGATORY

Studies on how flora and fauna would be affected by the proposed pipeline and any remedial actions to be taken.

RESPONSE

Impacts to flora and fauna from the proposed pipeline and any remedial actions to be taken are documented in Sections 3.3.3 and 6.2 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

HARTEN CONSULTING INTERROGATORY #5

INTERROGATORY

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.

RESPONSE

a) Correspondence with the Holland Marsh Growers Association is located in Appendix A1 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

Documentation related to studies on agricultural activities in the Holland Marsh is located in Sections 3.3.5.4 and 5.3 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

b) Impacts to wetlands and proposed restorative measures are located in Sections 3.3.3.4 and 6.2.3 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

HARTEN CONSULTING INTERROGATORY #6

INTERROGATORY

The number of individual properties within 50 metres of the pipeline.

RESPONSE

There are approximately 254 properties within 50 metres of the proposed pipeline.

HARTEN CONSULTING INTERROGATORY #7

INTERROGATORY

The rights of property owners wishing to connect to the Enbridge line.

RESPONSE

It is unclear what is being sought.

Please see response to Board Staff Interrogatory #1 at Exhibit H, Tab 1, Schedule 1(b) and (c).

Also, Enbridge Gas Distribution Inc. ("Enbridge") is subject to the requirements of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B, and the regulations thereunder and the requirements of the Ontario Energy Board in respect of new customer connections. New customer connections will be evaluated in accordance with the regulatory requirements and Enbridge's connection policy at the time of the request for service.

HARTEN CONSULTING INTERROGATORY #8

INTERROGATORY

List of water courses to be traversed and any applicable legislation.

RESPONSE

A complete description of all watercourses to be crossed along the preferred pipeline route is found in the Hydrological Assessment located in Appendix B of the Environmental Report found in Exhibit B, Tab 2, Schedule 2. Table 1 provided below lists watercourses to be crossed by the proposed pipeline.

Table 1

<u>Watercourse</u>	<u>Location Along Preferred Pipeline Route</u>
Tributary to Pottageville Creek	Lloydtown Aurora Road west of Concession Road 7
Tributary to Pottageville Creek	Lloydtown Aurora Road east of Concession Road 7
Tributary to Pottageville Creek	Lloydtown Aurora Road east of Weedon Court
Tributary to Kettleby Creek	Jane Street north of Lloydtown Aurora Road
Kettleby Creek	Highway 9 east of Jane Street
Tributary to Kettleby Creek	Highway 9 west of Keele Street
Tributary to Keele Creek	Highway 9 east of Keele Street
Tributary to Glenville Creek	Dufferin Street north of Davis Drive
Unnamed tributary discharging to South Canal	Dufferin Street south of King Street

Witness: E. Makkinga

All watercourse crossings are regulated by the Lake Simcoe Region Conservation Authority ("LRSCA") under Ontario Regulation 179/06 of the Conservation Authorities Act and the Fisheries Act.

Witness: E. Makkinga

HARTEN CONSULTING INTERROGATORY #9

INTERROGATORY

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?

RESPONSE

a) & b)

The pipeline has been designed to meet or exceed all applicable codes, standards and regulations. Enbridge Gas Distribution Inc. ("Enbridge") has a well established integrity management program. In the unlikely event of a pipeline failure, Enbridge would follow its documented emergency procedures. These procedures are regularly reviewed and updated. Enbridge personnel are trained in emergency response, including simulated emergencies.

In an emergency situation, public safety is paramount. Emergency response involves taking steps to protect the public, property and the environment (e.g., evacuation and maintaining a safety perimeter), shutting down the gas supply (e.g., closing valves), and coordinating with other emergency responders (e.g., fire and police departments).

HARTEN CONSULTING INTERROGATORY #10

INTERROGATORY

- 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?

RESPONSE

- a) & b) Given soil conditions, it is not expected that blasting will be required.

HARTEN CONSULTING INTERROGATORY #11

INTERROGATORY

- 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?

RESPONSE

- a) The Enbridge Gas Distribution Inc. ("Enbridge") water well monitoring program is available to all residents along the preferred route. The intent of the monitoring program is to evaluate both the water level and quality of ground water before and after the installation of the pipeline. One resident (who has requested that their contact information be kept confidential) has expressed an interest in participating in the monitoring program.
- b) Any dewatering required during construction will be done on a temporary basis for the purpose of maintaining the integrity of the open trench. Volumes of water will vary depending on weather and the groundwater table levels at the time of construction.

Hydrogeologic investigations are currently underway for the pipeline route (as recommended in the Environmental Report found at Exhibit B, Tab 2, Schedule 2) to help identify areas where potential dewatering may exist.

Any construction dewatering in excess of 50,000 L/day requires a Permit to Take Water from the MOE. If hydrogeologic investigations identify the potential for this, then a study will take place at that time.

- c) Enbridge has not yet conducted any studies. Enbridge will obtain all required approvals and permits required for dewatering (refer to response to b).

HARTEN CONSULTING INTERROGATORY #12

INTERROGATORY

A copy of the Enbridge decommissioning plan for the pipeline.

RESPONSE

Enbridge Gas Distribution Inc. ("Enbridge") does not have a specific decommissioning plan for the pipeline. Enbridge has policies and procedures that address pipeline abandonment.

Witness: R. Murray

HARTEN CONSULTING INTERROGATORY #13

INTERROGATORY

Copies of applications made by Enbridge for required permits listed under "AUTHORITY."

RESPONSE

To date Enbridge Gas Distribution Inc. ("Enbridge") has not made any applications for required permits.

Enbridge will obtain all required approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project.

Witness: W. Tkach

HARTEN CONSULTING INTERROGATORY #14

INTERROGATORY

A list of roadways and rail lines the pipeline will traverse and copies of any governing legislation.

RESPONSE

The list of roads the pipeline will traverse is noted in our application to the Ontario Energy Board under "Preferred Route Description", filed as Exhibit B, Tab 1, Schedule 1, page 2 of 2. There are no railway crossings along the preferred route. With respect to "*copies of any governing legislation*", Enbridge Gas Distribution Inc. is unclear what is being requested.

Legislation is available to the public at the websites provided below:

- Service Ontario E-Laws : <http://www.elaws.gov.on.ca> and,
- The Department of Justice of Canada: <http://laws.justice.gc.ca>

Witness: W. Tkach

HARTEN CONSULTING INTERROGATORY #15

INTERROGATORY

Copies of any correspondence with the Lake Simcoe Regional Conservation Authority

RESPONSE

Correspondence with the Lake Simcoe Region Conservation Authority ("LSRCA") can be found in Appendix A1 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

Email notifications were sent out to the LSRCA on July 22, 2009 with the link to the Environmental Report and on September 2, 2009 with the link to the application and evidence.

Additional correspondence is found in Exhibit G, Tab 1, Schedule 1, and includes a letter from the LSRCA dated October 22, 2009 which can be found at Exhibit G, Tab1, Schedule 1, Attachment 18 and includes the response of Enbridge Gas Distribution Inc.

HARTEN CONSULTING INTERROGATORY #16

INTERROGATORY

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.

RESPONSE

The 30m vegetation protection zone referenced in the Oak Ridges Moraine Conservation Plan for the preferred pipeline route is addressed in Sections 3.3.5.2 and 6.3.2 of the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

In addition, protection of this vegetation protection zone is further described in Appendix B Section 5.3.10 of the Hydrological Assessment located in the Environmental Report found in Exhibit B, Tab 2, Schedule 2.

HARTEN CONSULTING INTERROGATORY #17

INTERROGATORY

- 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.

RESPONSE

- a) Currently there are no other Peaker Plants in Ontario being supplied by Enbridge Gas Distribution Inc. ("Enbridge").
- b) Enbridge does not have access to all of this information. For pipelines in the vicinity of the York Energy Centre, refer to Enbridge's response to Board Staff Interrogatory #1 found at Exhibit H, Tab 1, Schedule 1, Attachment 1.

HARTEN CONSULTING INTERROGATORY #18

INTERROGATORY

- 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?

RESPONSE

- a) Enbridge Gas Distribution Inc. plans to recoup capital costs and operating costs of the proposed pipeline through a combination of:
 - i. Contribution in Aid of Construction to be provided by York Energy Centre LP, and
 - ii. Rate 125 Monthly Demand Charges and administrative charges applied through the twenty year term of the contract.
- b) The capital costs can be found in Exhibit E, Tab 1, Schedule 2 of the filed evidence and the costs are allocated to the York Energy Centre Pipeline project.
- c) There are no other allocated costs.
- d) All the costs are allocated to the York Energy Centre Pipeline project.

HARTEN CONSULTING INTERROGATORY #19

INTERROGATORY

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

RESPONSE

Please refer to Exhibit C, Tab 2, Schedule 1, Item 6, for Total Project Costs. Utilization of the pipeline does not affect the total cost.

Witness: R. Murray

HARTEN CONSULTING INTERROGATORY #20

INTERROGATORY

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

RESPONSE

There is no minimum quantity of gas that the customer York Energy Centre LP is obligated to accept.

HARTEN CONSULTING INTERROGATORY #21

INTERROGATORY

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

RESPONSE

At this time the need for easements has not been identified. The pipeline will be constructed within public road allowances by way of permit as provided for under our franchise agreement with the Regional Municipality of York and Township of King, respectively. Should easements be required, standard conveyancing practices dictate the use of a postponement of charge (mortgage) document as a condition of completing the easement.

HARTEN CONSULTING INTERROGATORY #22

INTERROGATORY

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?

RESPONSE

- a) Refer to Exhibit E, Tab 1, Schedule 2, pages 4 to 6.
- b) Refer to Exhibit E, Tab 1, Schedules 1 and 2.
- c) The project costs do not include the cost to decommission the pipeline.

HARTEN CONSULTING INTERROGATORY #23

INTERROGATORY

Were any additional financial assurances requested from the customer?

RESPONSE

Financial assurances are indicated in the Gas Delivery Agreement Appendix "B", found at Exhibit A, Tab 3, Schedule 6 of the prepared evidence. Please also see response to Board Staff Interrogatory #3 found at Exhibit H, Tab 1, Schedule 3.

Witness: J. Sim

HARTEN CONSULTING INTERROGATORY #24

INTERROGATORY

- 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?

RESPONSE

(a) and (b)

Please refer to Harten Consulting Interrogatory # 18 found at Exhibit H, Tab 2, Schedule 18.

Witnesses: J. Sim
F. Ahmad

HARTEN CONSULTING INTERROGATORY #25

INTERROGATORY

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

RESPONSE

The Environmental Report found at Exhibit B, Tab 2, Schedule 2 for the pipeline to serve the York Energy Centre LP was conducted in accordance with the policies and procedures outlined in the Ontario Energy Board "*Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, Fifth Edition, May 2003.*"