



Board Staff Interrogatories

Application for Leave to Construct Natural Gas Pipelines

Leamington Expansion Pipeline Project

EB-2012-0431

Union Gas Limited

February 8, 2013

1. Reference: Pre-filed Evidence, Page 12
 - a) Please provide the anticipated timeline for obtaining the necessary permits for location and construction of the project.
2. Reference: Pre-filed Evidence, Page 12
 - a) Please provide an update on the anticipated timeline for obtaining the required land rights for the project location and construction.
3. Reference: Pre-filed Evidence
 - a) Please list any outstanding or unresolved issues as a result of any of the consultations undertaken with respect to this project and indicate when any such issues are expected to be resolved.
4. Reference: Pre-filed Evidence, Pages 1-3 and 6
 - a) If Union does not receive the approximately \$2,000,000.00 in contribution from the growers, will there be any impact on ratepayers? If yes, what will the impact be?
 - b) If the negotiations with the 18 growers fail or if the remainder of the capacity on the Proposed Pipeline is not taken up by future contracts with growers, will there be any impact on ratepayers? If yes, what will the impact be?
5. Reference: Letter of Comment, Brookfield Renewable Energy Group, February 5, 2013
 - a) Is Union aware that Brookfield has overhead and underground infrastructure crossing the Proposed Pipeline?
 - b) Will Union include Brookfield in the planning and construction stages of the project North of County Rd. 8 to minimize impacts on both Union and Brookfield? Please provide an explanation for Union's response.
 - c) Please respond to Brookfield's comment regarding their desire to have a crossing agreement developed where they have underground intersections
 - d) Will Union be preparing a crossing agreement?
 - e) If the answer to (d) is yes, what is Union's anticipated timeline for completing the crossing agreement with Brookfield? If the answer to (d) is no, please explain why not.
6. Please comment on the following Board Staff Proposed Draft Conditions of Approval, and indicate any areas of these conditions that Union considers objectionable and the reasons for any such objection.

EB-2012-0431

**Union Gas Limited
Leave to Construct Application**

Board Staff Proposed Draft

Conditions of Approval

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-2012-0431 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, 2014, unless construction has commenced prior to that date.
- 1.3 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 members of the Ontario Pipeline Coordinating Committee ("OPCC").
- 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.
- 1.5 Within 15 months of the final in-service date, Union shall file with the Board Secretary a Post Construction Financial Report. The Report shall indicate the actual capital costs of the project and shall explain all significant variances from the estimates filed in the proceeding.

2 Project and Communications Requirements

- 2.1 The Board's designated representative for the purpose of these Conditions of Approval shall be the Manager, Natural Gas Applications.
- 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 fulfillment 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.