



## **Jay Shepherd**

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### **BY EMAIL and RESS**

August 20, 2013

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2012-0433/EB-2012-0451/EB-2013-0074 – Interrogatories to TCPL**

We are counsel to the School Energy Coalition ("SEC"). Enclosed please find interrogatories to TransCanada Pipelines Limited ("TCPL") on its revised evidence.

Yours very truly,  
**Jay Shepherd P.C.**

*Original signed by*

Mark Rubenstein

cc: Applicants and Intervenors (by email)

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**IN THE MATTER OF** an application by Enbridge Gas Distribution Inc. for: an order or orders granting leave to construct a natural gas pipeline and ancillary facilities in the Town of Milton, City of Markham, Town of Richmond Hill, City of Brampton, City of Toronto, City of Vaughan and the Region of Halton, the Region of Peel and the Region of York; and an order or orders approving the methodology to establish a rate for transportation services for TransCanada Pipelines Limited;

**AND IN THE MATTER OF** an application by Union Gas Limited for: an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Parkway West site; an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Town of Milton; an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Brantford-Kirkwall/Parkway D Compressor Station project; an Order or Orders for pre-approval of the cost consequences of two long term short haul transportation contracts; and an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the City of Cambridge and City of Hamilton.

**INTERROGATORIES TO TRANSCANADA PIPELINES LIMITED (“TCPL”)**

**ON BEHALF OF THE**

**SCHOOL ENERGY COALITION**

5. [Ref: TCPL Supplementary Evidence p.2, Ex.M.TCPL.Staff.L.8, EB-2011-0210 Written Evidence of TCPL (May 16, 2012)] Considering the termination by Enbridge of the Memorandum of Understanding (“MOU”), does TCPL still believe that it is prudent for Union to build its Parkway West loss of critical unit compressor?
6. [Ref: TCPL Supplementary Evidence p. 1] Please explain how discussions among the parties, TCPL, Enbridge and Union, resulted in a binding MOU between only two of the parties, that of Enbridge and TCPL?
7. [Ref: Ex. M.TCPL.Energy Probe.2] Does TCPL still plan to bring forward an application to the NEB for a pipeline between Enbridge’s Albion Station and TCPL’s King North Station?
8. [Ref: TCPL Supplementary Evidence p.3] Please provide a copy of the Statement of Claim that was filed in the Ontario Superior Court for specific enforcement of the MOU.

9. [Ref: TCPL Supplementary Evidence p.3] Please explain what TCPL means when it states that, “all of the leave to construct applications combined in these proceedings are contingent on the outcome of regulatory and judicial litigation”.

10. [Ref: TCPL Supplementary Evidence p.3, MH-002-2013 TransCanada Notice of Intention to Participate] In its Notice of Intention to Participate in the application by Union and Gaz Metro to the NEB for orders directing TCPL to provide an interconnect with its Mainline near Vaughn, TCPL states that one of the issues that the application raises is, “whether the contractual agreement between TransCanada and EGD (the MOU) precludes approval or consideration of the Application by the Board pending resolution of the action that TransCanada has brought in the Ontario Superior Court of Justice against EGD for specific performance of the MOU or damages of \$4.5 billion”. Is it TCPL’s position that in this proceeding the Board is precluded from approving the proposed facilities pending the outcome of the TCPL’s Superior Court action? If so, please provide the basis for such a position?

11. [Ref: TCPL Supplementary Evidence p.4] TCPL states that the net revenue reduction experience by TransCanada as a result of the proposed facilities would be approximately \$400 million per year, and cumulative approximately \$960 million between November 1, 2015 and December 31, 2017.

- a. Please provide a detailed derivation of that amount.
- b. Please provide an analysis of the consequential impact on all TCPL tolls paid by Ontario gas users as a result of the \$960 million reduction in TCPL revenues. Please also provide the impacts by path and service type.
- c. What percentage of the \$960 million would ultimately be borne by Ontario gas users?

12. [Ref: Ex.M.TCPL.BOMA.4, JT1.2, 1.A1.EGD (Update).IGUA.1] The well-publicized Energy East oil pipeline project will likely include conversion of certain Mainline assets between North Bay and Iroquois which Enbridge claims will impact Eastern shippers ability to deliver long haul and short haul capacity to their EDA markets.

- a. Please explain how TCPL will address the shortfall in firm capacity required to secure Ontario LDC firm service contracts.
- b. Please provide the the expected in-service date for the oil pipeline, please provide the expected dates that the various segments of the Mainline will need to be taken out of service for the purposes of the Energy East project.

Submitted by the School Energy Coalition on this 21<sup>st</sup> day of August, 2013

*Original signed by*

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Mark Rubenstein  
Counsel for the School  
Energy Coalition