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October 1, 2013

VIA COURIER, EMAIL and RESS

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

Re: Enbridge Gas Distribution Inc. ("Enbridge")
EB-2012-0451 - Greater Toronto Area ("GTA") LTC Project
Updated Evidence

Please find attached an evidence update regarding routing and consultation with landowners for the above noted proceeding. This evidence provides an update to Enbridge's submission on Friday September 27, 2013 and pertains to Enbridge's Panel 4.

Enbridge and Markham Gateway ("MG") have been able to reach a resolution regarding the location of the GTA Pipeline.

The executed Minutes of Settlement between the parties have been filed pursuant to the Ontario Energy Board's Practice Direction on Confidential Filings as Enbridge is still negotiating with several landowners and does not want to influence present or future negotiations.

As a result of resolving this issue, Enbridge understands that MG does not require any cross-examination of Panel 4. Further, Enbridge does not require any cross-examination of the MG/City of Markham panel. Since no further cross-examination time is planned for either panel, Enbridge will have Enbridge Panel 4 available in the event the Board has any questions for Panel 4. If there are no questions from the Board, Enbridge would suggest there is no requirement to have either Enbridge Panel 4 or the MG/City of Markham be called.

October 1, 2013

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Included in the package please find an update to Exhibit A, Tab 2, Schedule 4.

Please contact me if you have any questions.

Yours truly,

[original signed]

Shari Lynn Spratt
Supervisor Regulatory Proceedings

cc: EB-2012-0451, EB-2012-0433, and EB-2013-0074 Interested Parties

SUMMARY OF CHANGES

1. The purpose of this evidence is to summarize the changes between Update No. 1, (amended on February 12, 2013), Update No. 2 (amended on April 15, 2013), Update No. 3 (amended May 15, 2013), Update No. 4 (amended on June 3, 2013), Update No. 5 (amended on June 3, 2013), Update No. 6 (amended on July 22, 2013), Update No. 7 (amended on September 11, 2013), Update No. 8 (amended on /u September 27, 2013), Update No. 9 (amended on October 1, 2013) and the Application originally filed on December 21, 2012. The Exhibit List included below notes the exhibits amended in each update.
2. Changes in Update No. 1 include:
 - 1) Shortening of Segment A

The Segment A main pipeline will now connect to existing infrastructure owned by TransCanada in the vicinity of Highway 407 between Winston Churchill Boulevard and Heritage Road, called the Bram West Interconnect, rather than to Parkway West. The interconnection with TransCanada's system is along the originally proposed route which travels along a protected utility corridor. This changed interconnect reduces the length of the Segment A pipeline by approximately five kilometres ("km") but will require the payment of a toll by Enbridge for use of TransCanada's Mainline from Parkway to the Bram West Interconnect. As a result of the new interconnection, in-line inspection facilities, odourization, metering, regulation, and other ancillary equipment will be relocated accordingly. Joint usage of this portion of Segment A does not impact the need for Union Gas' Parkway West facility. The Parkway West facility will continue to provide gas supply to the GTA Project, reliability benefits, and a tie-in to Enbridge's existing distribution infrastructure.

2) Shared Usage of Segment A

Enbridge and TransCanada are continuing dialogue regarding the details of shared usage of the pipeline segment from the Bram West to Albion. To accommodate the anticipated needs of both companies and their customers, the diameter of the pipe will be increased from NPS 36 to NPS 42. This arrangement will eliminate the need for duplicative pipelines/facilities resulting in less environmental and community impacts.

3) Relocate the Regulation Facility

As indicated in EB-2012-0433, Union Gas' Application of Parkway West, there is a change in the location of the proposed Parkway West facility¹. The new site will be located approximately 1.5 km south of the original proposed site. The new site allows Union Gas to reduce its feeder pipeline and site interconnection requirements substantially². As a result, Enbridge's facilities at Parkway West, as well as the start point of the proposed tie-in line between Parkway West and Enbridge's existing Parkway North line, will be relocated. The revised tie-in line will be 315 metres ("m") instead of the previously planned 180 m, but represents a more optimal solution when Union Gas' reduced infrastructure requirements are taken into account.

3. Pursuant to amendments made in Update No. 1, changes in Update No. 2 include:

1) Project Costs and Economic Feasibility

The cost estimates and economic feasibility calculations have been updated based on the revised point of delivery to the Bram West Interconnect, the

¹ EB-2012-0433, Section 11, page 96 of 121.

² EB-2012-0433, Section 11, page 96, paragraph 3. The new site eliminates the need for the two 54 inch pipelines, eliminates the need for multiple easements and reduces the length of the 42 inch pipeline between Parkway and Parkway West.

shared usage with TransCanada, the shorter length of Segment A, the larger pipe size, the revised location of Union's Parkway Station and the revised tie-in connection from Parkway West to the Parkway North line.

2) Gas Supply Benefits

An update to the gas supply benefits Enbridge expects to generate through gas supply portfolio changes once the GTA Project facilities are put into service. The updated gas supply savings considers impacts from Union Gas' Parkway West (EB-2012-0433) and Brantford-Kirkwall Parkway D (EB-2013-0074) projects, in addition to TransCanada tolls to the new distributor areas and the expected toll from TransCanada to ship gas from Parkway to Bram West.

3) Transportation Services Agreement and Revenue Requirement

Enbridge and TransCanada are negotiating the commercial terms to permit TransCanada to use a portion of the capacity on the pipeline portion of Segment A from the Bram West Interconnect point to the Albion Road Station. The elements of the transportation services arrangement between Enbridge and TransCanada have been included in the evidence. As a result of the arrangement with TransCanada, Enbridge has amended the Application to seek approval for the methodology to establish a new rate for the transportation service to be provided to TransCanada. Enbridge will seek approval for the rate in a subsequent rate application (EB-2012-0459).

4) Timing and Construction Schedule

The timing of the activities necessary to complete the GTA Project have been updated based on the changes outlined in Update No. 1.

4. Pursuant to amendments made in Update No. 1 and Update No. 2, changes in Update No. 3 include:

1) Gas Supply Benefits

In Update No. 2, Enbridge committed to provide an update to the expected gas supply benefits resulting from the National Energy Board (“NEB”) Decision in RH-003-2011. This update includes changed assumptions related to transportation capacity displacement as a result of TransCanada’s May 1, 2013 Compliance Filing and Review and Variance Application resulting from the NEB’s March 27, 2013 Decision in RH-003-2011. As a result, the economic feasibility was also updated.

5. Update No. 4 was filed to make corrections to the customer additions history and forecast and update the land exhibits to include an additional land requirement and its respective landowner.

1) Customer Additions

An administrative error was identified when performing data mining for the interrogatory responses. The error occurred when transferring the customer additions in the GTA Project Influence Area into the summary tables and figures in the pre-filed evidence. This update amends the customer additions tables, figure, select paragraphs that discuss customer additions and customer base, and the economic feasibility. The change in customer additions resulted in a change in the Probability Index from 1.76 to 1.74.

The error did not affect the peak day demand forecast which was determined from the accurate base

2) Land Requirements

One additional land requirement and corresponding landowner was identified in May 2013 along the Segment A pipeline route from Bram West to Albion. The parcel of land was previously believed to have been avoided. However upon further work in the pull-forward detailed design engineering phase, the pipeline alignment was confirmed to pass through this land. The landowner was immediately contacted to discuss the project and easement requirements.

3) Curtable Load

A correction was made to Figure 1 in Exhibit A, Tab 3, Schedule 7 to address a typo. Total curtable load is measured in m³/day (not m³/hour as originally noted).

6. Update No. 5 was filed to provide an update to the Post Environmental Report comment response table filed at Exhibit B, Tab 2, Schedule 1, Attachment 5. The comment response table was originally filed as part of Update No. 2.
7. Update No. 6 was filed to amend the application as a result of the termination of the Memorandum of Understanding (“MOU”) with TransCanada. As a result, Update No. 6 includes:

1) Changes to Segment A

The originally proposed Segment A initiation point was reinstated to Parkway West to interconnect with Union Gas as opposed to the previously proposed

initiation point at Bram West with TransCanada. Under this revised scope the Segment A pipeline from Parkway West to Albion is 27.4 km in length and is proposed as NPS 42. The additional length is 6.5 km longer than the previously proposed length when interconnecting at Bram West. This includes the 1.5 km extension from the original application (December 21, 2012) due to the relocation of the Parkway West facilities as described in Update No. 1. The rate methodology (Rate 332) is now proposed for open access transportation from Parkway West to Albion. Exhibit A, Tab 3, Schedule 9 provides the evidentiary updates for all Schedules within Exhibit A, Tab 3 and also includes economic sensitivity analysis and estimated rate impacts. Updates have been made to relevant Schedules within Exhibits B, C, D and E to reflect the impact of the amendment.

2) Environmental Report Amendment

An amendment to the Environmental Report provides the results of Dillon Consulting Limited's review of the reinstatement of the originally proposed Segment A route as a NPS 42 pipeline and a 1.5 km extension to the proposed Parkway West location.

3) New Land Requirements

The reinstatement of the originally proposed Segment A route involves one incremental landowner, Prologis Canada LLC. The reinstatement and 1.5 km

extension also requires additional land owned by Infrastructure Ontario for an easement within the designated utility corridor. Additional permits are required from the City of Mississauga and Region of Halton. These parties (Prologis, Infrastructure Ontario, City of Mississauga and Region of Halton) have been included in previous land requirements discussions and/or stakeholder consultations.

Unrelated to the changes in Segment A, one additional land requirement and corresponding landowner was identified in July 2013 along the Segment B pipeline route. The parcel of land was previously believed to have been avoided. However upon further work in the pull-forward detailed design engineering phase, the pipeline alignment was confirmed to pass through this land. The landowner was immediately contacted to discuss the project and easement requirements.

4) Project Costs and Economic Feasibility

The project cost estimate and economic feasibility calculations have been updated to reflect the changes proposed in this update.

8. Update No. 7 was filed to amend the application to report the results of the New Capacity Open Season for Segment A and to describe the impact of a negotiated settlement agreement between the Eastern LDCs³ and TransCanada.
9. Update No. 8 was filed to provide an update regarding routing and consultation with landowners. Enbridge and Markham Gateway were continuing to have discussions regarding the location of the proposed pipeline within the Markham Gateway lands.

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³ The Eastern LDCs consist of Enbridge, Union Gas and Gaz Metro.

10. Update No. 9 was filed to provide an update to Enbridge's Update No. 8 regarding routing and consultation with landowners. Enbridge and Markham Gateway have been able to reach a resolution regarding the location of the GTA Pipeline.

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The executed Minutes of Settlement between the parties have been filed pursuant to the Ontario Energy Board's Practice Direction on Confidential Filings.

<u>Ex.</u>	<u>Tab</u>	<u>Sch.</u>	<u>Contents</u>	<u>Update No. 1</u> (Feb 12, 2013)	<u>Update No. 2</u> (Apr 15, 2013)	<u>Update No. 3</u> (May 15, 2013)	<u>Update No. 4</u> (Jun 3, 2013)	<u>Update No. 5</u> (Jun 11, 2013)	<u>Update No. 6</u> (Jul 22, 2013)	<u>Update No. 7</u> (Sep 11, 2013)	<u>Update No. 8</u> (Sept 27, 2013)	<u>Update No. 9</u> (Oct 1, 2013)
<u>A</u>	1	1	Exhibit List	✓	✓				✓	✓		
	2	1	Application	✓	✓				✓			
		2	OPCC Distribution List									
		3	List of Interested Parties	✓					✓			
		4	Summary of Changes	New Schedule	✓	✓	✓		✓	✓		
		5	Curriculum Vitae							New Schedule		
		6	Curriculum Vitae							New Schedule		
	3	1	Purpose, Need, and Timing	✓	✓		✓ Table 2		Update incorporated in Ex. A, Tab 3, Sch. 9			
		2	History of Natural Gas Supply in the GTA				✓ Paragraph 27					
		3	Operation and Limitations of Existing Facilities		✓		✓ Paragraph 9					

<u>Ex.</u>	<u>Tab</u>	<u>Sch.</u>	<u>Contents</u>	<u>Update No. 1</u> (Feb 12, 2013)	<u>Update No. 2</u> (Apr 15, 2013)	<u>Update No. 3</u> (May 15, 2013)	<u>Update No. 4</u> (Jun 3, 2013)	<u>Update No. 5</u> (Jun 11, 2013)	<u>Update No. 6</u> (Jul 22, 2013)	<u>Update No. 7</u> (Sep 11, 2013)	<u>Update No. 8</u> (Sept 27, 2013)	<u>Update No. 9</u> (Oct 1, 2013)
<u>A</u>		4	Market Growth				✓ Paragraph 6, Table 1, Figure 2					
		5	Natural Gas Demand, Supply, and Expected Gas Supply Benefits		✓	✓			Update incorporated in Ex. A, Tab 3, Sch. 9			
		6	Proposed Facilities, Operation, and System Benefits	✓	✓				Update incorporated in Ex. A, Tab 3, Sch. 9			
		7	Alternatives	✓			✓ Figure 1		Update incorporated in Ex. A, Tab 3, Sch. 9			
		8	Timing		✓				Update incorporated in Ex. A, Tab 3, Sch. 9			

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<u>A</u>		9	July 22, 2013 Update to Exhibit A, Tab 3						New Schedule			
	3	10	September 11, 2013 Update							New Schedule		
<u>B</u>	1	1	Preferred Route Description	✓					✓			
		2	Alternative Route Description									
	2	1	Environmental Report and Archaeological Assessment	✓	✓			✓ (Attachment 5)	✓			
		2	Environmental Implementation Plan									
<u>C</u>	1	1	Design Specifications		✓							
		2	Hydrostatic Test Procedure		✓							

<u>Ex.</u>	<u>Tab</u>	<u>Sch.</u>	<u>Contents</u>	<u>Update No. 1</u> (Feb 12, 2013)	<u>Update No. 2</u> (Apr 15, 2013)	<u>Update No. 3</u> (May 15, 2013)	<u>Update No. 4</u> (Jun 3, 2013)	<u>Update No. 5</u> (Jun 11, 2013)	<u>Update No. 6</u> (Jul 22, 2013)	<u>Update No. 7</u> (Sep 11, 2013)	<u>Update No. 8</u> (Sept 27, 2013)	<u>Update No. 9</u> (Oct 1, 2013)
<u>C</u>	2	1	Estimated Project Costs		✓				✓			
		2	Proposed Construction Schedule		✓							
		3	Project Management Framework									
<u>D</u>	1	1	Land Requirements	✓			✓		✓			
		2	Negotiations to Date				✓		✓		✓	✓
		3	Permits Required		✓				✓			
		4	Affidavit						✓			
<u>E</u>	1	1	Project Benefits and Economics		✓	✓	✓		✓			
		2	Transportation Rate Methodology		New Schedule				✓			
<u>F</u>	1	1	Aboriginal Consultations		✓							

NEGOTIATIONS TO DATE

1. The status of negotiations with each affected landowner is listed below:

<u>Landowners</u>	<u>Status</u>
Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure Ontario	Ongoing
Hydro One Networks Inc.	Ongoing
Toronto and Region Conservation Authority ("TRCA")	Ongoing
 <u>Private Owners:</u>	
1083131 Ontario Inc.	Initial Contact
Airport 407 Business Campus Inc.	Initial Contact
2074070 Ontario Inc.	Initial Contact
5 Ruggles Ave. Development Inc.	Ongoing
10 Ruggles Ave. Development Inc.	Ongoing
5 Langstaff Rd East Development Inc.	Ongoing
9 Langstaff Rd East Development Inc.	Ongoing
Holy Cross Cemetery	Ongoing
Contango Holding Ltd.	Initial Contact
M.A.N Enterprises Ltd.	Initial Contact
A.G.S. Consultants Ltd.	Initial Contact
7900 Airport Road Developments Inc.	Initial Contact
Prologis Canada LLC	Initial Contact
Private Landowner 1	Initial Contact

Private Landowner 2	Initial Contact
Private Landowner 3	Initial Contact
Private Landowner 4	Initial Contact
Private Landowner 5	Ongoing

2. All stakeholders have been informed that Enbridge requires a six meter (6 m) wide easement across their respective properties. Each stakeholder has expressed commitment to cooperate with Enbridge's easement requirements.

3. The following private land owners initially expressed concern regarding the available space in the right-of-way within the proposed Langstaff Development in the City of Markham:

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- 5 Ruggles Ave. Development Inc.
- 10 Ruggles Ave. Development Inc.
- 5 Langstaff Rd East Development Inc.
- 9 Langstaff Rd East Development Inc.

As a result of on-going discussions regarding the route constraints for the project, Enbridge and the landowners recently reached a resolution. The attachments as listed on the following page provide further detail.

<u>Attachment</u>	<u>Description</u>
2	Alternative Route Constraints Map, Photos, and Constraints List
3	Summary of Langstaff Consultation
4	GTA Project - Pre-Consultation Meeting with Town of Markham - December 13, 2011 - Meeting Minutes
5	Meeting Minutes - GTA Project – Langstaff Gateway Development, Condor Lands - August 29, 2012 , April 5, 2013, and August 6, 2013
6	Meeting Minutes - GTA Project – Langstaff Gateway Development, Angus Glen Lands – June 21, 2012, August 8, 2012, August 22, 2013
7	Minutes of Settlement – Resolution between Enbridge and Markham Gateway

4. Private Landowner 5 has been contacted to continue discussions on land requirements related to the owner's property near the intersection of Rodick Road and the Highway 407.
5. Consultations will continue to be held with all affected landowners.
6. Enbridge will obtain all required Permits, Agreement to Grant Easements, Easements, and Working Area Agreements, as required, for the routes and locations of the proposed pipelines and facilities required for construction.

7. Attached are Letters of Acknowledgement received from the following landowners:
 - a. Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure Ontario (page 1)
 - b. Hydro One Networks Inc. (page 2)
 - c. TRCA (pages 3 to 4).

8. Attachment 1 are the forms of Agreement that Enbridge will offer to landowners, if and as required, including:
 - a. The Agreement to Grant Easement (pages 5 to 12)
 - b. A Standard Easement Agreement (pages 13 to 14)
 - c. The Working Area Agreement (page 15).

Filed: 2013-10-01
EB-2012-0451
Exhibit D
Tab 1
Schedule 2
Page 1 of 1
Attachment 7

The Minutes of Settlement between the parties have been filed in confidence with the Ontario Energy Board.