



EB-2014-0299

IN THE MATTER OF the Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B (the "Act");

AND IN THE MATTER OF an application by Greenfield South Power Corporation for a certificate of public convenience and necessity, pursuant to section 8 of the *Municipal Franchises Act*, R.S.O. 1990, c. M. 55.

PROCEDURAL ORDER NO. 1
October 28, 2014

The Ontario Energy Board received an application from Greenfield South Power Corporation ("Greenfield") for a Certificate of Public Convenience and Necessity ("Certificate") under section 8(1) of the *Municipal Franchises Act* on September 18, 2014, with amendments filed on September 25, 2014 ("Greenfield's Certificate Application").

Greenfield has entered into a 20-year Clean Energy Supply Contract with the Ontario Power Authority ("OPA") to construct and operate a natural gas fired, 300 megawatts net nominal capacity, power plant in St. Clair Township, near Sarnia, Ontario. The power plant is referred to as the Green Electron Project ("GEP"). To operate the GEP Greenfield requires approval of the Board, in the form of Certificate, to construct a natural gas supply system connected to the Vector Pipeline Limited Partnership ("Vector") pipeline ("Gas Supply System"). The proposed Gas Supply System will be located on Greenfield's property and will consist of 450 meter long high pressure steel 8 inch diameter pipeline and ancillary facilities.

A Notice of Application ("Notice") was issued on September 26, 2014. In accordance with the Board's directions, the Notice was posted on the respective websites of Greenfield and Union Gas Limited ("Union") and served on Union, Enbridge Gas Distribution Inc., Vector, and the Corporation of the Township of St. Clair.

Union filed a letter with the Board on October 3, 2014 seeking intervenor status in Greenfield's Certificate Application proceeding ("Intervention Letter").

Union has previously filed an application with the Board on April 25, 2014 pursuant to section 91 of the *Ontario Energy Board Act, 1998*, for an order granting Union leave to construct approximately 60 metres of 8 inch diameter natural gas pipeline and a customer station to supply gas to fuel the GEP power plant ("Union's Leave to Construct Application")(EB-2014-0147). By way of letter dated August 5, 2014 the Board informed Union that the Board would be holding Union's Leave to Construct Application in abeyance until further notice.

Union stated in its Intervention Letter that, in its view, Union's Leave to Construct Application (EB-2014-0147) and Greenfield's Certificate Application (EB-2014-0299) both request approvals to construct facilities to supply gas to the same GEP natural gas fired power plant, raising the issue of "by-pass" of Union's system. Union asked the Board to combine Greenfield's Certificate Application with Union's Leave to Construct Application. The Board has considered Union's request for a combined proceeding and has decided that it be more efficient to proceed with the Greenfield Certificate Application at this time and continue to hold Union's Leave to Construct Application in abeyance pending the outcome of this proceeding.

The Board has also received a request on October 10, 2014 from the OPA seeking intervenor status. The Board has considered the requests of both Union and OPA and has determined that it is appropriate to grant both Union and the OPA intervenor status in this application. The Board however reminds parties that the scope of this proceeding is limited to the Appendix "B" Issues List.

Any evidence and interrogatories filed by the parties in the proceeding must be within the scope of the matters set out in the Issues List. The Board also reminds parties to use a numbering system consistent with the Issues List for any new evidence or interrogatories.

Lastly, Union asked that the Board proceed in hearing the application by way of oral hearing. Greenfield disagreed with Union's request and asked that the Board proceed by a written hearing. The Board has decided to proceed with a written discovery process to be followed by oral submissions of the parties.

A record of all procedural matters that have been dealt with up to this point in this proceeding is available on the Board's web site.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. The parties listed in Appendix "A" are granted intervenor status in this proceeding.

2. The scope of the proceeding is set out in Issues List attached as Appendix "B".
3. Intervenors and or Board staff who wish to present evidence shall file that evidence with the Board and deliver it to Greenfield, intervenors and Board staff no later than **November 5, 2014**.
4. Anyone who requires additional information related to the application, any intervenor evidence, and/or Board staff evidence, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to Greenfield, intervenors and Board staff on or before **November 12, 2014**.
5. Responses to the interrogatories on the application, intervenor and/or Board staff evidence shall be filed with the Board and delivered to Greenfield, intervenors and Board staff on or before **November 19, 2014**.

All filings to the Board must quote the file number, EB-2014-0299, be made electronically in searchable / unrestricted PDF format through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

ADDRESS

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

E-mail: boardsec@ontarioenergyboard.ca

Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

ISSUED at Toronto, October 28, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

To

Procedural Order No. 1

Greenfield South Power Corporation

EB-2014-0299

Applicant and List of Intervenor

October 28, 2014

**Greenfield South Power Corporation
EB-2014-0299**

APPLICANT & LIST OF INTERVENORS

October 28, 2014

APPLICANT

Rep. and Address for Service

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Corporation**

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INTERVENORS

Rep. and Address for Service

Greenfield South Power Corporation

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APPLICANT & LIST OF INTERVENORS

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October 28, 2014

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Appendix B

EB-2014-0299

Issues List

Issues List

1. What are the cost/economic factors related to serving the GEP by Greenfield or Union, on both Greenfield and Union's other customers?
2. What are the environmental impacts associated with Greenfield's gas supply project and are they acceptable?
3. Are there any outstanding landowner matters associated with the Greenfield's gas supply project?
4. Is Greenfield a competent builder and operator of the proposed gas supply project?
5. Will granting a Certificate to Greenfield in Union's service area adversely impact Union and Union's ratepayers? For example, will there be stranded assets, lower profit, decreased revenues, etc. ?
6. Should the Certificate be granted to Greenfield will there be any effect of increasing or reducing Union's system efficiency overall?
7. If a Certificate is granted are there any conditions of approval that may be appropriate?