

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF an application by Suncor Energy Products Inc. for an Order or Orders pursuant to Section 41(9) of the Electricity Act, 1998 (as amended) establishing the location of the applicant's distribution facilities within road allowances owned by the Town of Plympton-Wyoming, all as set out in this application.

EVIDENCE OF THE TOWN OF PLYMPTON-WYOMING

1. The Town of Plympton-Wyoming (the “Town”) was granted Intervenor status by the Ontario Energy Board (the “Board”) for this matter in Procedural Order No. 1, dated November 14, 2014.
2. In its request for Intervenor Status the Town noted that the Application is premature as discussions have been ongoing between the Town and the Applicant regarding matters relating to a Road Use Agreement and the proper placement of the Applicant’s facilities on the Town’s property.
3. At this point, no Road Use Agreement has been made between the Town and the Applicant.
4. The Town has significant concerns regarding the placement of the distribution facilities in its road allowances and is seeking to address these concerns with the Applicant.
5. This is being done in order to protect the interests of the Town’s residents, to safeguard against future maintenance issues as well as ensuring the safety and security of all those using the road allowance including maintenance workers.
6. Accordingly, the Town feels it would be premature for the Board to rule on this Application at this time.
7. In the alternative, if the Board determines it must rule on this issue prior to the ongoing

discussions between the Town and the Applicant being concluded, the Town believes it is essential to further protect the public interest that the following condition be added as a further requirement to the specific requirements noted in the Application at Exhibit B, Tab 2, Schedule 1, page 2, lines 38-47:

In all instances, where a line is located within the municipal road allowance, the exterior of the conduit enclosing the lines must have a minimum of 1.5 m of cover in all planes, vertically and horizontally, at all locations, at all times.

8. These same requirements noted in paragraph 7 above are repeated in the Application at Exhibit B, Tab 4, Schedule 1, Appendix L, which section is specifically referred to in Exhibit B, Tab 5, Schedule 1, page 1, Order Sought, and to which section the additional requirement should also be added.
9. As a result, the Order Sought should be amended to reflect this additional requirement.

All of which is respectfully submitted this 27th of November, 2014.

Date: November 27, 2014

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