



EB-2014-0234

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 Goldcorp Inc. for an Order under section 36 of the Act directed at Union Gas Limited regarding the quantum of an aid to construct payable by Goldcorp to Union for a gas pipeline that was the subject of EB-2011-0040.

PROCEDURAL ORDER NO. 2

December 4, 2014

The Ontario Energy Board (the "Board") received an application from Goldcorp Inc. ("Goldcorp") under section 36 of the Act on July 4, 2014.

The Board previously approved an application by Union Gas Limited ("Union") to construct a natural gas pipeline to serve certain of Goldcorp's mines (EB-2011-0040). Goldcorp and Union signed an agreement that set the Contribution In Aid of Construction ("CIAC") based on estimated cost. The construction is now completed. The actual costs were higher, according to Union, mainly because the construction was conducted over two seasons instead of one. Union has recalculated that CIAC based on actual costs and invoiced Goldcorp. In the current application, Goldcorp is asking the Board to order Union to exclude \$2,375,000 of the additional costs from Goldcorp's CIAC for the natural gas pipeline.

An amended Notice of Application ("Notice") was issued on July 28, 2014. The Notice was posted, published and served as directed by the Board.

Enbridge Gas Distribution Inc. ("Enbridge") and Union were granted intervenor status.

In accordance with Procedural Order No. 1, interrogatories and interrogatory responses were filed on Goldcorp's evidence and Union's intervenor evidence. The Board has reviewed the evidence and has determined that it would be helpful for

Union to clarify certain information on the record. As no party requested an oral hearing, the Board has determined that it will proceed by written hearing. The Board hereby asks Union to answer the following questions:

- 1) What date does Union consider as the starting date for the construction and when were the construction crews and equipment mobilized in 2011?
- 2) If the construction started prior to the receipt of the Board's leave to construct approval on July 25, 2011, please explain why it started before the approval was received and before the preferred construction option was selected?
- 3) In its evidence (p. 3), Union stated that it considered three construction options:
 - a) What criteria were used to assess the three options and to select the preferred option?
 - b) Please provide relevant comparative information for the three options including cost of mobilization/demobilization, total construction cost, and in-service dates.
 - c) Did option 3 involve mobilization and demobilization of the construction crews only once? If so, why was option 2 determined to be the preferred option?

The Board will, by way of this procedural order, provide Union with a date for responding to the above questions and set a schedule for written submissions by Board staff and intervenors and for reply submissions by Goldcorp.

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 provisions for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Union shall file with the Board, and deliver to Goldcorp and Enbridge, no later than **December 8, 2014** responses to the three questions set out above.

2. Union, Enbridge, and Board staff shall file any written submissions with the Board and deliver them to Goldcorp and all intervenors by **December 12, 2014**.
3. Goldcorp may file any reply submission with the Board, and deliver it to Union and Enbridge by **December 19, 2014**.

All filings to the Board must quote the file number, EB-2014-0234, 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, December 4, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary