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BY E-MAIL

December 8, 2014

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

Dear Ms. Walli:

**Re: Suncor Energy Products Inc. ("Suncor")
Application to Determine the Location of Distribution Facilities within
Road Allowances Owned by the Town of Plympton-Wyoming
Board File No.EB-2014-0295**

Pursuant to Procedural Order No. 1 issued on November 19, 2014, enclosed please find Board staff interrogatories to Suncor in the subject proceeding.

Yours truly,

Original Signed By

Leila Azañez
Case Manager



**Board Staff Interrogatories
To
Suncor Energy Products Inc.**

**Application to Determine the Location of
Distribution Facilities within Road Allowances
Owned by the Town of Plympton-Wyoming**

EB-2014-0295

December 8, 2014

Note 1:

Suncor Energy Products Inc. is referred to as “Suncor” or the “applicant” in this document.

The Town of Plympton-Wyoming is referred to as the “Town” in this document.

Note 2:

“Distribution Facilities” in this document refers solely to the approximately 23 kilometre portion of the collector system that are planned to be located within the Town’s road allowances.

Board Staff Interrogatory No. 1:**Reference:**

- a. Section 41 of the *Electricity Act*, 1998, S.O. 1998, c. 15, Schedule A, ("S.41")
- b. Exhibit B/ Tab 4/ Schedule 1/ Chronology of Events
- c. Further Evidence/ Exhibit B/ Tab 2/ Schedule 1/ November 24, 2014 Letter from Suncor to Town re: Road Use Agreement
- d. Evidence of the Town dated November 27, 2014

Preamble:

Reference (a) delineates the rights and obligations of applicants in this type of proceeding.

The chronology of events provided at references (a) and (b) show that up until and including October 23, 2013 numerous consultations have taken place between Suncor and the Town.

In its evidence, the Town confirmed that discussions respecting a road use agreement and the location of the Distribution Facilities are ongoing.

Question/Request:

- i. Please file the latest draft of the Road Use Agreement.
- ii. Did Suncor brief the Town on the extent, timing and implications of construction, installation, operation, maintenance and future decommissioning of the distribution facilities within the Town's road allowances? If so, please submit evidence in support of same.
- iii. Please provide a complete and detailed update on the status of Suncor's discussion with the Town in respect of the proposed Distribution Facilities since October 23, 2014.

Board Staff Interrogatory No. 2:**Reference:**

- a. Exhibit B/ Tab 2/ Schedule 1/ Paragraph 3, Renewable Energy Approval

Preamble:

The pre-filed evidence indicates that Suncor received a Renewable Energy Approval from the Ministry of the Environment on August 22, 2014. Respecting the REA, Suncor stated the following:

The REA reports listed above, among others, identified significant environmental, social and other features in the Project area in the vicinity of the Distribution System, determined appropriate setbacks from those features, and proposed additional mitigation measures where appropriate. The proposed location of the Distribution System was determined through an iterative approach and based on the extensive environmental assessment and community consultation process conducted in accordance with Ontario Regulation 359/09. **As a result, the proposed location of the Distribution System within the Road Allowances** that is set out in Exhibit B, Tab 5, Schedule 1 **reflects the best balance of environmental, social, technical and economic considerations.** [Emphasis added]

Board staff notes that a full copy of the REA, or elements of the reports of the REA pertaining to the locations of the Distribution Facilities are not contained within the existing evidence.

Question/Request:

- i. Please confirm that the REA approval covers the locations of the Distribution Facilities.
- ii. Please provide a description and summary review of any alternative locations for the Distribution Facilities that Suncor has considered and subsequently rejected in favour of the current configuration and the reasons for having rejected those alternative(s).
- iii. Please provide the rationale for the final proposed locations and any supporting documentation, including technical constraints.

Board Staff Interrogatory No. 3:

Reference:

- a. Evidence of the Town dated November 27, 2014

Preamble:

At paragraphs 7 and 8 of the reference, the Town proposed additional technical/ design language which says the following:

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.

Question/Request:

- i. Was Suncor informed of this proposed amendment prior to filing its application? If not, please explain.
- ii. To Suncor's knowledge, would compliance with this additional technical requirement obviate the need for the present proceeding?
- iii. Failing full agreement, would compliance with this additional technical requirement aid in reaching an agreement on the location of the Distribution Facilities? Please explain.
- iv. Would this addition be acceptable to Suncor? If not, please provide a rationale for the refusal.

Board Staff Interrogatory No. 4:**Reference:**

- a. Further Evidence/ Exhibit B/ Tab 2/ Schedule 1/ Plan and Profile Drawings
- b. Evidence of the Town dated November 27, 2014 / Paragraphs 4 & 5
- c. Evidence of the Town dated November 27, 2014 / Paragraph 7
- d. Exhibit A/ Tab 2/ Schedule 1/ Paragraph 7

Preamble:

Suncor's additional evidence contains detailed drawings of the planned location of its Distribution Facilities.

At reference (b), the Town indicated that it had significant concerns regarding the locations of Suncor's facilities, needed to safeguard against future maintenance issues, needed to ensure the safety and security of the Town's maintenance workers and residents, and was seeking to address such concerns with Suncor.

It the pre-filed evidence, reference (d), Suncor states that:

While neither Town staff nor Town Council have expressed concern with the location of the Distribution System, the Town has nevertheless to date not approved the execution of any agreement with Suncor as to the location of the Distribution System within the Road Allowances.

Question/Request:

- i. Other than the proposed technical clause at reference (c), did the Town provide any other directions and/or advice especially as relates to maintenance, safety and security? If so please submit all related evidence.
- ii. Did the Town provide any comments on the drawings filed in Suncor's supplemental evidence? If so, please submit a copy of these comments, and if applicable, please submit evidence showing how any concerns have been addressed by Suncor.
- iii. Has the Town proposed locations for the distribution facilities within the road allowances? If so, please provide such proposals and indicate whether Suncor accepted, rejected or altered the proposal and all supporting rationale.
- iv. If any agreement on individual locations related to drawings at reference (a) has been reached, please submit this information to the Board.

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