

**Ontario Energy
Board**
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
de l'Ontario**
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



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 the Town of Plympton-Wyoming in the subject proceeding.

Yours truly,

Original Signed By

Leila Azañez
Case Manager



**Board Staff Interrogatories
to the
Town of Plympton-Wyoming**

**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:

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

Suncor Energy Products Inc. is referred to as “Suncor” or the “applicant” 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. Exhibit B/ Tab 5/ Schedule 1/ Appendix A/ List of Plympton-Wyoming Streets and Highways for Cedar Point II Wind Energy Project Distribution System Location
- b. Further Evidence of Suncor dated November 27, 2014

Preamble:

In additional evidence, Suncor filed with the Board detailed drawings of the planned location of its Distribution Facilities.

Question/Request:

- i. Please confirm that the list all affected road allowances is as stated at reference (a). If there are variances please indicate what they are.
- ii. If applicable, please specify any specific concerns that the Town has in respect of any of the listed road allowances.
- iii. Please confirm that the Town received a complete copy of reference (b).
- iv. Referring to the detailed drawings at reference (b), if any, please indicate which drawings and locations are acceptable to the Town.

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

- a. Section 41 of the *Electricity Act*, 1998, S.O. 1998, c. 15, Schedule A
- b. Evidence of the Town dated November 27, 2014
- c. Exhibit B/ Tab 4/ Schedule 1/ Appendix E/ March 5, 2014 Draft Road-use Agreement

Preamble:

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

In the Town's evidence at reference (b), paragraphs 4 and 5 state that:

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.

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.

In the Town's evidence, paragraph 2 indicates that discussions respecting a road use agreement and the location of the Distribution Facilities have been ongoing.

Question/Request:

- i. Was the Town briefed by Suncor on the extent, timing and implications of construction, installation, operation, maintenance and future decommissioning of the distribution facilities within the Town's road allowances? Please provide any information that the Town received from Suncor.
- ii. Please specify the Town's concerns.
- iii. Please provide a complete and detailed update on the status of discussions with Suncor in respect of the location of the proposed Distribution Facilities and the draft road use agreement.

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. Please explain the rationale for the proposed addition.
- ii. Was Suncor informed of this proposed amendment prior to filing the application? If so, please provide supporting documentation.
- iii. If this addition is accepted by the applicant, would this remove disagreement with Suncor and lead to agreement on the proposed location of the Distribution Facilities? If not, please provide further clarification regarding the details of any

remaining disagreement with Suncor's proposed location of the Distribution Facilities.

Board Staff Interrogatory No. 4:

Reference:

- a. Evidence of the Town dated November 27, 2014
- b. Section 41(9) of the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A

Preamble:

The Town indicated at reference (a) that this application is premature and also that a Board ruling would be premature.

With respect to sub-section 41(9), the Electricity Act provides:

41 (9) The location of any structures, equipment or facilities constructed or installed under subsection (1) shall be agreed on by the transmitter or distributor and the owner of the street or highway, and in case of disagreement shall be determined by the Board. 1998, c. 15, Sched. A, s. 41 (9).

Question/Request:

- i. Please explain in what way a Board ruling would be premature.
- ii. What is the Town's proposed location for the Suncor's facilities within its road allowances? If applicable, please submit supporting documentation that would aid the Board in determining the location of the Distribution Facilities.

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