



EB-2007-0745

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

AND IN THE MATTER OF an Application by Enbridge Gas
Distribution for an Order pursuant to Section 90.(1) of the
Ontario Energy Board Act, 1998, granting leave to construct
a natural gas distribution line and related facilities in the
Township of Alfred and Plantagenet and the Township of
Champlain in the United Counties of Prescott and Russell.

PROCEDURAL ORDER NO. 1

Enbridge Gas Distribution Inc. (“Enbridge” or “the Applicant”) has filed an application with the Ontario Energy Board (the “Board”), dated April 10, 2008, under section 90(1) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B).

Enbridge has applied for an order of the Board for leave to construct approximately 32km of nominal pipe size (NPS) 6 and NPS 4 steel and polyethylene pipeline main and a pressure regulating station in the subject Townships to provide natural gas service mainly to the former Villages of Alfred and Plantagenet. The proposed pipeline will proceed from a connecting point to the existing Enbridge System originating at the Ivaco Rolling Mills in L’Orignal predominantly along road allowance along County Roads 17 and 26 and terminating at the junction of these roads near Wendover.

Notice of Application for the Leave to Construct Application was served and published as directed by the Board. There were no intervenors.

The Board has determined that it is necessary to make the following provisions related to this proceeding:

THE BOARD ORDERS THAT:

1. The Applicant is to provide answers to Board Staff interrogatories attached as Appendix A to this Order.
2. The Applicant shall file with the Board complete responses to the interrogatories no later than June 14, 2008.

All filings to the Board must quote file number EB-2007-0745, be made through the Board's web portal at www.errr.oeb.gov.on.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and email address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. If the web portal is not available you may email your document to BoardSec@oeb.gov.on.ca. Those who do not have internet access are required to submit all filings on a CD or diskette 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.

DATED at Toronto May 30, 2008.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

Interrogatories of Board Staff Leave to Construct Pipeline in the Township of Alfred and Plantagenet and Township of Champlain EB-2007-0745

General:

1. Ref: Exhibit A, Application, Tab 2, Map
 - a) Please provide a map showing all Enbridge's high pressure pipelines within in a radius of 50 km of the proposed Alfred and Plantagenet pipeline and showing their Maximum Allowable Operating Pressures.
 - b) Please describe any facilities (length, diameter, location) upstream of the proposed pipeline that will become necessary to deliver the increased gas volumes that the proposed pipeline will carry to new customers.
 - c) Please show any practical alternative connecting point to an existing Enbridge or TransCanada pipeline system that could serve as the source point for the gas supply to the Alfred Plantagenet area, whether this alternative was considered and if so, rejected.

Purpose, Need and Timing

2. Ref: Exhibit A, Application, Tab 2, Paragraph 3
 - a) Please provide a Table showing, for each of the next ten years, the anticipated number of residential, commercial and industrial customer additions and the respective gas volumes that are envisioned for each of those years, that underpins the forecast of gas distribution revenue projections shown in the table of Exhibit D, Tab 2, Schedule 1, Page 5, Line 12.

Technical and Economic

3. Ref: Exhibit A, Application, Tab 2, Paragraph 4
 - a) Why does the NPS 6 HP Steel pipe, 2.6 km upstream of the proposed regulator station reduce in diameter from NPS 6 to NPS 4? From a practical operational viewpoint, would pigging for example not be more convenient if that last 2.6 km also be a continuation of the NPS 6 steel pipe?
 - b) What is the capital cost increase that would be necessary to make this 2.6 km an NPS 6 steel pipe rather than an NPS 4 pipe?
 - c) If so substituted, what is the quantitative effect on the PI and NPV?
4. Ref: Exhibit A, Application, Tab 4, Page 4, Paragraphs 8 and 11
 - a) The average unit annual gas consumption for natural gas for the forecast residential, commercial customer is given as 2,646 and 17,558 m3 respectively.

What are the comparative figures for the nearest area with similar climatic and residential/commercial mix and identify those areas.

Construction, Environmental and Land Matters

5. Ref: Exhibit E

a) Please confirm that Enbridge will secure all approvals necessary from all authorized agencies for the construction and operation of the proposed pipeline prior to construction of the pipeline.

6. Please provide a status update on consultations with Aboriginal groups with regard to the following points:

- a) Identify all of the Aboriginal groups that have been contacted in respect of this application.
- b) Indicate:
 - i) how the Aboriginal groups were identified;
 - ii) when contact was first initiated;
 - iii) the individuals within the Aboriginal group who were contacted, and their position in or representative role for the group;
 - iv) a listing, including the dates, of any phone calls, meetings and other means that may have been used to provide information about the project and hear any interests or concerns of Aboriginal groups with respect to the project.
- c) Provide relevant information gathered from or about the Aboriginals as to their treaty rights, or any filed and outstanding claims or litigation concerning their treaty rights or treaty land entitlement or aboriginal title or rights, which may potentially be impacted by the project.
- d) Provide any relevant written documentation regarding consultations, such as notes or minutes that may have been taken at meetings or from phone calls, or letters received from, or sent to, Aboriginal groups.
- e) Identify any specific issues or concerns that have been raised by Aboriginal groups in respect of the project and, where applicable, how those issues or concerns will be mitigated or accommodated.
- f) Explain whether any of the concerns raised by Aboriginal groups with respect to the applied-for project have been discussed with any government department or agencies, and if so, identify when contacts were made and who was contacted.

- g) If any of the Aboriginal groups who were contacted either support the application or have no objection to the project proceeding, identify those groups and provide any available written documentation of their position. Also, indicate if their positions are final or preliminary or conditional in nature.
- h) Provide details of any known Crown involvement in consultations with Aboriginal groups in respect of the applied-for project.

Conditions of Approval

- 7. Please review and provide any concerns and/or comments on the draft conditions of approval (if leave is granted) as set out below:

Draft Conditions of Approval

Proposed by Board Staff

Leave to Construct

1 General Requirements

- 1.1 Enbridge Gas Distribution Inc. ("Enbridge") shall construct the facilities and restore the land in accordance with its application and the evidence filed in EB-2007-0745, except as modified by this Order and these Conditions of Approval.
- 1.2 Unless otherwise ordered by the Board, authorization for Leave to Construct shall terminate December 31, 2008, unless construction has commenced prior to then.
- 1.3 Except as modified by this Order, Enbridge shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee ("OPCC") review.

- 1.4 Enbridge shall advise the Board's designated representative of any proposed material change in construction or restoration procedures and, except in an emergency, Enbridge shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.

2 Project and Communications Requirements

- 2.1 The Board's designated representative for the purpose of these Conditions of Approval shall be the Manager, Facilities.
- 2.2 Enbridge shall designate a person as project engineer and shall provide the name of the individual to the Board's designated representative. The project engineer will be responsible for the fulfilment of the Conditions of Approval on the construction site. Enbridge shall provide a copy of the Order and Conditions of Approval to the project engineer, within seven days of the Board's Order being issued.
- 2.3 Enbridge shall give the Board's designated representative and the Chair of the OPCC ten days written notice in advance of the commencement of the construction.
- 2.4 Enbridge shall furnish the Board's designated representative with all reasonable assistance for ascertaining whether the work is being or has been performed in accordance with the Board's Order.
- 2.5 Enbridge shall file with the Board's designated representative notice of the date on which the installed pipelines were tested, within one month after the final test date.

- 2.6 Enbridge shall furnish the Board's designated representative with five copies of written confirmation of the completion of construction. A copy of the confirmation shall be provided to the Chair of the OPCC.

3 Monitoring and Reporting Requirements

- 3.1 Both during and after construction, Enbridge shall monitor the impacts of construction, and shall file four copies of both an interim and a final monitoring report with the Board. The interim monitoring report shall be filed within six months of the in-service date, and the final monitoring report shall be filed within fifteen months of the in-service date. Enbridge shall attach a log of all complaints that have been received to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.
- 3.2 The interim monitoring report shall confirm Enbridge's adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.
- 3.3 The final monitoring report shall describe the condition of any rehabilitated land and the effectiveness of any mitigation measures undertaken. The results of the monitoring programs and analysis shall be included and recommendations made as appropriate. Any deficiency in compliance with any of the Conditions of Approval shall be explained.

4 Easement Agreements

- 4.1 Enbridge shall offer the form of agreement approved by the Board to each landowner, as may be required, along the route of the proposed work.

5 Other Approvals and Agreements

- 5.1 Enbridge shall obtain all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project, shall provide a list thereof, and shall provide copies of all such written approvals, permits, licences, and certificates upon the Board's request.