

**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**

March 16, 2015

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 County of Lambton  
Board File No. EB-2014-0355**

Pursuant to Procedural Order No. 1 issued on February 26, 2015, enclosed please find Board staff interrogatories to Suncor in the subject proceeding.

Yours truly,

*Original Signed By*

Leila Azaïez  
Case Manager



**Suncor Energy Products Inc.**

# Application to Determine the Location of Distribution Facilities within Road Allowances Owned by the County of Lambton

**EB-2014-0355**

# March 16, 2015

**Note 1:**

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

The County of Lambton is referred to as the “County” in this document.

**Note 2:**

“Distribution Facilities” in this document refers solely to the approximately 4.3 kilometre portion of the collector system that are planned to be located within the County’s road allowances.

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

- a. Execulink Telecom Inc. Letter of Comment dated February 24, 2015
- b. Ontario Energy Board Rules of Practice and Procedure, April 24, 2014

**Preamble:**

Reference (a) mentions a Letter of Comment sent by Utility Execulink Telecom Inc. in which it requested Suncor's cooperation to minimize operational interference.

Rule 23.03 of the Board's Rules of Practice Public provides that:

23.03 Before the record of a proceeding is closed, the applicant in the proceeding must address the issues raised in letters of comment by way of a document filed in the proceeding.

**Question/Request:**

- i. In accordance with Rule 23.03, has Suncor addressed the issues raised in the letter at reference (a)? If so please submit related evidence.

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

- a. Section 41 of the *Electricity Act*, 1998, S.O. 1998, c. 15, Schedule A
- b. Pre-filed Evidence/ Exhibit B/ Tab 4/ Schedule 1/ Chronology of Events
- c. Pre-filed Evidence/ Exhibit B/ Tab 4/ Schedule 1/ Appendix S/ Email Chain from October 6, 2014 to October 9, 2014

**Preamble:**

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

The chronology of events provided at reference (b) shows that up until and including November 20, 2014 numerous consultations have taken place between Suncor and the County.

In particular, at reference (c), the County stated in part:

The County does not dispute Suncor's privileges, as a distributor, under the Electricity Act, as the same act outlines the County of Lambton's privilege, as the owner of the highway, to be able to agree to the location of the infrastructure. The County and Suncor have both willingly initiated a process, through the RUA, to facilitate an agreement under the Act. Both parties have worked toward developing a Draft RUA that can be presented to County Council following a public review process, however, the Draft RUA has not progressed to that stage to date.

**Question/Request:**

- i. Did Suncor brief the County on the extent, timing and implications of construction, installation, operation, maintenance and future decommissioning of the distribution facilities within the County's road allowances? If so, please submit evidence in support of same.
- ii. Please provide a complete and detailed update on the status of Suncor's discussion with the County in respect of the proposed Distribution Facilities since November 20, 2014.

**Board Staff Interrogatory No. 3:****Reference:**

- a. County Intervenor Request Letter dated February 23, 2015
- b. Further Evidence/ Exhibit B/ Tab 3/ Schedule 1/ Responses to Concerns Raised in Lambton County's Intervenor Request Letter dated February 23, 2015

**Preamble:**

At paragraph 2 of reference (a), the County noted that parties have been unable to reach agreement on a road-use agreement mainly because of Suncor's lack of adequate and detailed response in respect of certain technical concerns.

Suncor provided a response at reference (b) addressing some of the County's concerns.

**Question/Request:**

- i. Can Suncor indicate whether the answers at reference (b) satisfied all of its technical concerns? If so, please submit evidence of same.
- ii. In Suncor's view, has the County communicated all known technical concerns to Suncor to elicit potential appropriate solutions?

- iii. Please outline all known concerns related to the Distribution Facilities, technical and non-technical, that the County has communicated. Please file with the Board a detailed response on Suncor's planned approach to resolve those concerns.
- iv. If any of the County's technical concerns are not solvable or not within Suncor's responsibilities, please highlight and provide an explanation.
- v. To Suncor's knowledge, would resolution of all achievable County technical concerns lead to a mutual agreement and obviate the need for the present proceeding? If not, please explain.

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

##### **Reference:**

- a. Pre-filed Evidence/ Exhibit B/ Tab 2/ Schedule 1/ Appendix A/ Location Map dated July 2014
- b. Further Evidence/ Exhibit B/ Tab 1/ Schedule 1/ Updated Plan and Profile Drawings
- c. Further Evidence/ Exhibit B/ Tab 2/ Schedule 1/ Updated List of Lambton County Streets

##### **Preamble:**

None

##### **Question/Request:**

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

#### **Board Staff Interrogatory No. 5:**

##### **Reference:**

- a. Further Evidence/ Exhibit B/ Tab 1/ Schedule 1/ Updated Plan and Profile Drawings

**Preamble:**

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

**Question/Request:**

- i. Did the County 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.
- ii. Has the County 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.
- iii. 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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