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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 the County of Lambton in the subject proceeding.

Yours truly,

Original Signed By

Leila Azañez
Case Manager



County of Lambton

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:

The County of Lambton is referred to as the “County” 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 4.3 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
- 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, reference (c) shows that discussions respecting a road-use agreement and the location of the Distribution Facilities have been ongoing, but that no draft road-use agreement could materialize.

Question/Request:

- i. Was the County briefed by Suncor on the extent, timing and implications of construction, installation, operation, maintenance and future decommissioning of the distribution facilities within the County's road allowances?
- ii. Please list relevant information that the County received from Suncor, and whether the County deems the information complete.
- 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. 2:**Reference:**

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

- b. Further Evidence/ Exhibit B/ Tab 2/ Schedule 1/ Updated List of Lambton County Streets and Highways for Cedar Point II Distribution System Location
- c. Further Evidence/ Exhibit B/ Tab 3/ Schedule 1/ Responses to Concerns Raised in Lambton County's Intervenor Request Letter dated February 23, 2015

Preamble:

In additional evidence, Suncor filed with the Board an updated list of affected road allowances as well as detailed drawings of the planned location of its Distribution Facilities.

Question/Request:

- i. Please confirm that the County received a complete copy of references (a), (b) and (c).
- ii. Please confirm that the list of affected road allowances at reference (b) is accurate. If there are variances please indicate what they are.
- iii. If applicable, please specify any specific concerns that the County (e.g. operational, safety) has in respect of any of the listed road allowances.

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

- a. Section 41(9) of the *Electricity Act*, 1998, S.O. 1998, c. 15, Schedule A
- b. County Intervenor Request Letter dated February 23, 2015
- c. Further Evidence/ Exhibit B/ Tab 3/ Schedule 1/ Responses to Concerns Raised in Lambton County's Intervenor Request Letter dated February 23, 2015
- d. Further Evidence/ Exhibit B/ Tab 1/ Schedule 1/ Updated Plan and Profile Drawings

Preamble:

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).

Respecting the ability of the County to locate accurately and reliably the proposed buried distribution lines, at reference (b) the County stated in part:

Given the lack of detailed response on this issue, it is difficult for the County not to view this Application either as being premature, or in the alternative as an attempt to avoid satisfying a reasonable and industry-standard technical practice. [...] in order to avoid serious safety concerns.

Question/Request:

- i. Does the County consider the response provided at reference (c) to be sufficient to bridge the informational gap respecting future locate data? If not, please explain.
- ii. Referring to the detailed drawings at reference (d), if any, please indicate which drawings and locations are acceptable to the County.
- iii. Please provide further clarification regarding the details of any outstanding disagreement with Suncor's proposed location of the Distribution Facilities.
- iv. What is the County's proposed location for Suncor's Distribution Facilities? If applicable, please submit supporting documentation that would aid the Board in determining the location of the Distribution Facilities.

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