



Lorraine Chiasson  
Regulatory Coordinator  
Regulatory Affairs

tel 416 495 5499  
egdregulatoryproceedings@enbridge.com

Enbridge Gas Distribution  
500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

**VIA RESS, EMAIL AND COURIER**

February 22, 2017

Ms. Kirsten Walli  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 26th Floor  
Toronto, ON M4P 1E4

**Re: Enbridge Gas Distribution Inc. ("Enbridge")  
Ontario Energy Board ("Board") File No.: EB-2016-0270  
Application for Exemption from the Affiliate Relationships Code for Gas  
Distributors - Affidavit of Service**

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On February 10, 2017, the Board issued the Letter of Direction and Notice of Hearing for the above noted proceeding.

As directed by the Board, enclosed please find the Affidavit of Service which has been filed through the Board's Regulatory Electronic Submission System.

Please contact the undersigned if you have any questions.

Sincerely,

[original signed]

Lorraine Chiasson  
Regulatory Coordinator

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c. 15, Sched. B, as amended.

**AND IN THE MATTER OF** an application by Enbridge Gas  
Distribution Inc., for an exemption from section 2.2.4 of the  
*Affiliate Relationships Code for Gas Utilities* (the "Code").

**AFFIDAVIT OF SERVICE**

I, Lorraine Chiasson, of the City of Oshawa, make oath and say as follows:

1. I am in the employ of Enbridge Gas Distribution Inc. ("Enbridge") and as such have knowledge of the matters hereinafter deposed to.
2. Pursuant to the February 10, 2017 Letter of Direction from the Ontario Energy Board (the "Board"), I caused to be served a copy of the Notice of Hearing ("Notice"), Enbridge's Application and Evidence to all intervenors on record in EB-2016-0215, and Cedar Point Wind, LLC; Keechi Wind, LLC; Blackspring Ridge Wind Project; Greenwich Windfarm LP Inc.; Enbridge Renewable Energy Infrastructure Limited Partnership; Talbot Windfarm LP Inc.; Sunbridge Wind Power Project; and New Creek Wind LLC.
3. Attached hereto and marked as Exhibit "A", "B" and "C" are true copies of the aforesaid dated Notice in English and French, and Enbridge's Application respectively.
4. Attached hereto and marked as Exhibit "D" is proof in the form of an email that the Notice, Application and Evidence was served on those parties as directed by the Ontario Energy Board in the Letter of Direction.

5. Pursuant to the Letter of Direction, I caused to provide a copy of the Notice to Enbridge Gas Distribution's website. Attached as Exhibit "E" is a screen shot of the Company's website page.

SWORN before me in the City of )  
Toronto, this 22<sup>nd</sup> day of )  
February, 2017 )

[original signed by]

[original commissioned by L. Austin]

\_\_\_\_\_  
Lorraine Chiasson

# ONTARIO ENERGY BOARD NOTICE TO CUSTOMERS OF ENBRIDGE GAS DISTRIBUTION INC.

## Enbridge Gas Distribution Inc. has applied for an exemption from the Affiliate Relationships Code for Gas Utilities

**Learn more. Have your say.**

Enbridge Gas Distribution Inc. has applied to the Ontario Energy Board for an exemption from a code that sets out the standards and conditions for the interaction between related companies (the *Affiliate Relationships Code for Gas Utilities*). If granted, the exemption would enable Enbridge Gas Distribution Inc. to provide certain communication and control services to Enbridge-affiliated wind farm operations in Ontario. This exemption would be an extension of a previous exemption granted by the Ontario Energy Board in 2011.

### THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider Enbridge Gas's request. We will question the company on its case for extending its exemption which would allow Enbridge Gas to continue to provide communication and control services to its affiliated wind farm operations in Ontario. We will also hear arguments from individuals and from groups that represent Enbridge Gas's customers. At the end of this hearing, the OEB will decide whether the exemption should be granted.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

### BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process.

- You can review Enbridge Gas's application on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). Apply by February 23, 2017 or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

### LEARN MORE

Our file number for this case is **EB-2016-0270**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please select the file number **EB-2016-0270** from the list on the OEB website: <http://www.ontarioenergyboard.ca/Participate>. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

### ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB will determine at a later date whether to proceed by way of written or oral hearing. If you think an oral hearing is needed, you can write to the OEB to explain why by February 23, 2017.

### PRIVACY

*If you write a letter of comment, your name and the content of your letter or the documents you file with the OEB will be put on the public record and the OEB website. However, your personal telephone number, home address and email address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.*

*This hearing will be held under sections 19 and 44 of the Ontario Energy Board Act, 1998, S.O. 1998 c.15 (Schedule B) and section 2.2.4 of the Affiliate Relationships Code for Gas Utilities.*





# AVIS DE LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO AUX CLIENTS DE ENBRIDGE GAS DISTRIBUTION INC.

## Enbridge Gas Distribution Inc. a déposé une requête en vue d'obtenir une exemption du code d'affiliation des services de gaz

### Apprenez-en plus. Donnez votre avis.

Enbridge Gas Distribution Inc. a déposé une requête en vue d'obtenir une exemption du code qui établit les normes et les conditions régissant les interactions entre les sociétés liées (le *Code d'affiliation des services de gaz*). Si elle est accordée, l'exemption permettrait à Enbridge Gas Distribution Inc. de fournir des communications et services de contrôle aux activités des parcs éoliens affiliés à Enbridge, en Ontario. Cette exemption serait une prorogation d'une précédente exemption accordée par la Commission de l'énergie de l'Ontario en 2011.

### LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO TIENDRA UNE AUDIENCE PUBLIQUE

La Commission de l'énergie de l'Ontario (CEO) tiendra une audience publique afin d'étudier la demande d'Enbridge Gas. Nous demanderons à la société de justifier la nécessité de prolonger son exemption, ce qui permettrait à Enbridge Gas de continuer à fournir des communications et services de contrôle aux activités de ses parcs éoliens affiliés, en Ontario. Nous écouterons également les arguments des individus et des groupes représentant la clientèle d'Enbridge Gas. À l'issue de cette audience, la CEO décidera si l'exemption devrait être accordée.

La Commission de l'énergie de l'Ontario est une agence publique indépendante et impartiale. Les décisions que nous prenons visent à servir au mieux l'intérêt public. Notre objectif est d'encourager le développement d'un secteur de l'énergie efficace et financièrement viable, afin d'offrir des services énergétiques fiables à un prix raisonnable.

### INFORMEZ-VOUS ET DONNEZ VOTRE AVIS

Vous avez le droit d'être informé au sujet de cette demande et de participer au processus.

- Vous pouvez examiner la demande d'Enbridge Gas sur le site Web de la CEO dès maintenant.
- Vous pouvez déposer une lettre de commentaires qui sera prise en compte au cours de l'audience.
- Vous pouvez participer activement au processus (à titre d'intervenant). Inscrivez-vous avant le 23 février 2017, faute de quoi l'audience aura lieu sans votre participation et vous ne recevrez plus d'avis dans le cadre de la présente affaire.
- Vous pourrez examiner la décision rendue par la CEO à l'issue de la procédure, ainsi que ses justifications, sur notre site Web.

### POUR EN SAVOIR PLUS

Notre numéro de dossier pour cette affaire est **EB-2016-0270**. Pour obtenir de plus amples renseignements sur cette audience, sur les démarches à suivre pour déposer une lettre, participer en tant qu'intervenant ou pour consulter les documents relatifs à cette affaire, veuillez sélectionner le numéro de dossier **EB-2016-0270** dans la liste sur le site Web de la CEO : <http://www.ontarioenergyboard.ca/Participez>. Pour toute question, vous pouvez également communiquer avec notre centre des relations avec les consommateurs au 1-877-632-2727.

### AUDIENCES ORALES ET AUDIENCES ÉCRITES

Il existe deux types d'audiences à la CEO : les audiences orales et les audiences écrites. La CEO décidera ultérieurement de traiter l'affaire par voie d'audience orale ou écrite. Si vous pensez qu'une audience orale est nécessaire, vous pouvez fournir pour cela vos arguments par écrit à la CEO avant le 23 février 2017.

### PROTECTION DES RENSEIGNEMENTS PERSONNELS

*Si vous présentez une lettre de commentaires, votre nom ainsi que le contenu de votre lettre et des documents que vous déposerez auprès de la CEO seront versés au dossier public et publiés sur son site Web. Toutefois, votre numéro de téléphone, votre adresse de domicile et votre adresse électronique ne seront pas rendus publics. Si vous représentez une entreprise, tous les renseignements de l'entreprise demeureront accessibles au public. Si vous participez à titre d'intervenant, tous vos renseignements personnels seront rendus publics.*

*Cette audience sera tenue en vertu des articles 19 et 44 de la Loi de 1998 sur la Commission de l'énergie de l'Ontario, L.O 1998, chap. 15 (annexe B) et article 2.2.4 du Code d'affiliation des services de gaz.*



Version

## **ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S.O. 1998, c. 15, Sched. B, as amended.

**AND IN THE MATTER OF** an application by Enbridge  
Gas Distribution Inc., for an exemption from section  
2.2.4 of the *Affiliate Relationships Code for Gas  
Utilities* (the "Code").

### **APPLICATION**

1. Enbridge Gas Distribution Inc. ("EGD") is filing this application to renew the Ontario Energy Board's ("OEB") Order in EB-2010-0232, in which the OEB granted EGD an exemption from section 2.2.4 of the Code to allow EGD to provide certain operational services to other Enbridge Inc. ("Enbridge") windfarms.
2. Section 2.2.4 of the Code states "a utility shall not share with an affiliate that is an energy service provider any employee who controls the access to utility services, or directs the manner in which utility services are provided to customers, or who has direct contact with a customer of the utility service".
3. In EB-2008-0275, EGD requested and the OEB granted an exemption from section 2.2.4 of the Code to allow EGD operational personnel to provide communication and control services (the "Control Services") to Enbridge's Kincardine, Ontario wind farm. In EB-2010-0232, EGD requested a similar exemption for all affiliated wind farms. The OEB granted the exemption on certain conditions including that EGD "shall file with the Board a new exemption request application in the event of any material change in the facts or circumstances underlying the exemption, or the passage of six (6) years from the date of this Decision and Order, whichever occurs first".
4. EGD confirms that there has been no material change in the facts underlying the exemption and the EB-2010-0232 Order is set to expire on February 22, 2017. Since the date of the EB-2010-0232 Order, EGD has provided Control Services to several Enbridge wind farms. The Control Services, more particularly described in the Intercorporate Services Agreements ("Wind ISAs"), consist of SCADA monitoring and data recording, System Operator communications, emergency shut off procedures and turbine monitoring where applicable.

5. EGD is best suited to provide the Control Services in a cost-effective and reliable manner due to EGD staff's expertise with SCADA, experience in providing the services for the wind farms, and 24 hour operating schedule of its control centre in Edmonton. The SCADA system and telephone connections required for wind farm Control Services are standalone and completely separate from the gas control SCADA and information technology systems, and will not adversely affect gas control operations in any way. Attached as Appendix A through D is a draft of all Wind ISA's pursuant to which EGD will be providing Control Services. As Enbridge is in the process of reorganizing management and holding company arrangements for the farms, we are awaiting final confirmation of these arrangements before executing the agreements. We will provide the Board with executed agreements as soon as they are available. At this time, EGD anticipates providing ongoing Control Services to the following Enbridge wind farms:
  - a. Cedar Point Wind, LLC;
  - b. Keechi Wind, LLC;
  - c. Blackspring Ridge Wind Project;
  - d. Greenwich Windfarm LP Inc.;
  - e. Enbridge Renewable Energy Infrastructure Limited Partnership;
  - f. Talbot Windfarm LP Inc.;
  - g. Sunbridge Wind Power Project; and
  - h. New Creek Wind LLC
6. As previously stated in EB-2010-0232, Enbridge's operating procedures for the wind farms must comply with Independent Electricity System Operator ("IESO") requirements, including the need to have operational control personnel available 24/7 to respond to System Operator communications within 5 minutes. Because it is not practical, reliable or economical to out-source the Control Services, EGD is requesting the Board to grant an Order on the same terms as the previous Order to enable EGD to continue to provide the Control Services to Enbridge's wind farm operations.
7. EGD confirms that there is no other party that would be able to provide the Control Services in the cost effective, efficient and reliable manner as provided by EGD. Further, it remains the case, as EGD stated in EB-2008-0275, Canadian wind farms regularly conduct their own or contract with affiliated companies for control services. In addition, the critical nature

of these services and the consequences for non-performance render outsourcing arrangements with non-affiliates highly impractical or unworkable.

8. Additional justification for this exemption request, repeated from EB-2008-0275 and EB-2010-0232, is that there is no harm to the competitive energy markets that could result from EGD providing the Control Services because Enbridge's windfarms cannot generate power on demand; the generating capacity is dependent on Mother Nature. The wind farms in Ontario are dispatched on instructions of the IESO whenever they are capable and are paid a fixed price for their generated energy. They do not influence the Hourly Ontario Energy Price.
9. EGD respectfully submits there is no harm to the public interest and requests that the OEB grant it a continuing exemption from section 2.2.4 of the Code to allow EGD to provide ongoing Control Services to its affiliated wind farms, on the same terms as the OEB Order in EB-2010-0232 with one exception. Rather than submit confirmation with the Board every two years that there is no material change in circumstances, EGD proposes to file such confirmation with the OEB every year, as EGD proposed in EB-2015-0233. EGD prefers to make annual confirmation filings for record-keeping purposes.
10. EGD requests that the OEB issue an interim approval in order to allow EGD to continue providing Control Services under the existing ARC exemption in the event that this Application is decided after the expiration of the Order in EB-2010-0232.
11. EGD requests that all documents in relation to this application be served on EGD and its counsel as follows:

The Applicant:

Mr. Andrew Mandyam  
Director, Regulatory Affairs,  
Financial Planning and Analysis  
Enbridge Gas Distribution Inc.

Address for personal service: 500 Consumers Road  
North York, Ontario M2J 1P8

Mailing address: P. O. Box 650  
Scarborough, Ontario M1K 5E3

Filed: 2016-10-22  
EB-2016-0270  
Page 4 of 4  
Plus Attachments

Telephone: 416-495-5499 or 1-888-659-0685  
Fax: 416-495-6072  
Email: EGDRRegulatoryProceedings@enbridge.com

The Applicant's counsel:

Mr. Guri Pannu  
Enbridge Gas Distribution Inc.

Address for personal service and mailing address As Above

Telephone: 416-758-4761  
Fax: 416-495-5994  
Email: guri.pannu@enbridge.com

DATED: December 22, 2016 at Toronto, Ontario.

ENBRIDGE GAS DISTRIBUTION INC.

Per: \_\_\_\_\_ [original signed]

Andrew Mandyam  
Director, Regulatory Affairs,  
Financial Planning and Analysis

**From:** Lorraine Chiasson  
**To:** "David.Butters@appro.org"; "jvellone@blg.com"; "jbuchta@blg.com"; "jwolnik@elenchus.ca"; "tbrett@foglers.com"; "Marion.Fraser@rogers.com"; "paul.clipsham@cmemec.ca"; "vderose@blg.com"; "eblanchard@blg.com"; "jgirvan@uniserve.com"; "DavidMacIntosh@nextcity.com"; "spainc@rogers.com"; "bradyyauch@consumerpolicyinstitute.org"; "drquinn@rogers.com"; "ian.mondrow@gowlingwlg.com"; "srahbar@igua.ca"; "laura.vansoelen@gowlingwlg.com"; "nruzycki@justenergy.com"; "fmurray@justenergy.com"; "vyoung@aegent.ca"; "jay.shepherd@canadianenergylawyers.com"; "mark.rubenstein@canadianenergylawyers.com"; "wmcnally@opsba.org"; "matthew\_ducharme@transcanada.com"; "roman\_karski@transcanada.com"; "lisa\_deabreu@transcanada.com"; "pmcmahon@uniongas.com"; "mjanigan@piac.ca"; "markgarner@rogers.com"  
**Cc:** Paul Varga; Ian MacRobbie; Valorie Wanner  
**Subject:** RE: EGD I - ARC Exemption - Windfarm - EB-2016-0270  
**Date:** Monday, February 13, 2017 1:46:06 PM  
**Attachments:** [NoA EGD I ARCEX Windfarm 20170210.pdf](#)  
[NoA EGD I ARCEX Windfarm FR 20170210.pdf](#)  
[EGDI ARC Exemption updated 20170119.pdf](#)

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The attached notices are being resent due to the size of the previous email some parties did not receive the attachments.

Regards,

**Lorraine Chiasson**

Regulatory Coordinator

**Enbridge Gas Distribution**

T: 416-495-5962 | F: 416-495-6072

500 Consumers Road | North York Ontario | M2J 1P8

[enbridgegas.com](http://enbridgegas.com)

**Integrity. Safety. Respect.**

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**From:** Lorraine Chiasson  
**Sent:** Monday, February 13, 2017 11:17 AM  
**To:** 'David.Butters@appro.org'; 'jvellone@blg.com'; 'jbuchta@blg.com'; 'jwolnik@elenchus.ca'; 'tbrett@foglers.com'; 'Marion.Fraser@rogers.com'; 'paul.clipsham@cmemec.ca'; 'vderose@blg.com'; 'eblanchard@blg.com'; 'jgirvan@uniserve.com'; 'DavidMacIntosh@nextcity.com'; 'spainc@rogers.com'; 'bradyyauch@consumerpolicyinstitute.org'; 'drquinn@rogers.com'; 'ian.mondrow@gowlingwlg.com'; 'srahbar@igua.ca'; 'laura.vansoelen@gowlingwlg.com'; 'nruzycki@justenergy.com'; 'fmurray@justenergy.com'; 'vyoung@aegent.ca'; 'jay.shepherd@canadianenergylawyers.com'; 'mark.rubenstein@canadianenergylawyers.com'; 'wmcnally@opsba.org'; 'matthew\_ducharme@transcanada.com'; 'roman\_karski@transcanada.com'; 'lisa\_deabreu@transcanada.com'; 'pmcmahon@uniongas.com'; 'mjanigan@piac.ca'; 'markgarner@rogers.com'  
**Cc:** Paul Varga; Ian MacRobbie; Valorie Wanner  
**Subject:** EGD I - ARC Exemption - Windfarm - EB-2016-0270

Pursuant to the Board's Letter of Direction received February 10, 2017, attached please find a copy of the Board's Notice of Application – English and French versions, as well as Enbridge's application and evidence.

This information will be available on the Company's website on February 14, 2017 at [www.enbridgegas.com/ratecase](http://www.enbridgegas.com/ratecase) under the "Other Regulatory Proceedings" tab.

Regards,

**Lorraine Chiasson**

Regulatory Coordinator

***Enbridge Gas Distribution***

T: 416-495-5962 | F: 416-495-6072

500 Consumers Road | North York Ontario | M2J 1P8

[enbridgegas.com](http://enbridgegas.com)

**Integrity. Safety. Respect.**



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Franchises

Other Regulatory Proceedings

EB-2014-0351 - Storage Compensation

EB-2014-0354 - 2014 New and Updated DSM Measures

EB-2014-0378 - Wilkesport Wells

EB-2015-0023 - Expropriation Application

EB-2015-0033 - Exemption Application - Wilkesport Gathering Line

EB-2015-0049 - 2015-2020 DSM Plan

EB-2015-0122 - 2014 ESM

EB-2015-0175 Pre-Approval of a Long-Term Natural Gas Transportation Contract

EB-2015-0233 - Application for Exemption for the Affiliate Relationships Code

EB-2015-0267 - Clearance 2014 DSM Variance Accounts

EB-2015-0303 - Corunna Well Application

EB-2016-0028 STAR

EB-2016-0142 2015 ESM

EB-2016-0246 - Updated DSM Measures and the Technical Resources Manual (TRM)

EB-2016-0270 ARC Exemption

Enbridge Application

EGD,ARC Exemption\_updated\_20170119.pdf

OEB Notices

NoA\_EGDLARCEX\_Windfarm\_20170210.pdf

NoA\_EGDLARCEX\_Windfarm\_FR\_20170210.pdf

EB-2016-0300 Cap and Trade

EB-2016-0378 - Drilling Licence - Corunna Storage Pool

Since we're a rate-regulated company, the Ontario Energy Board approves our rates after a public review and hearing of our rate-change application. You can view all of our rate case information and evidence as well as the evidence we filed in other regulatory proceedings below. Please note that we haven't posted any evidence that was confidential or that required a non-disclosure agreement. Under the Franchises tab you will find the Ontario Energy Board Notice of Application (NOA) and Enbridge's Application and Evidence for recent franchise renewals.

Exhibit E