



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

VIA COURIER, EMAIL, and RESS

October 24, 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-2017-0147
Fenelon Falls Pipeline Project – Leave to Construct Application
Affidavit of Service**

On October 19, 2017, Enbridge filed an update to the Exhibit G, Tab 1, Schedule 2 - Permits and Agreements which identified two additional landowners. In accordance with the Board's Letter of Direction issued on August 18, 2017, directing Enbridge to provide service on all property owners, enclosed please find Enbridge's Affidavit of Service for the additional contacts.

In accordance with the Board's revised Practice Direction on Confidential Filings, effective October 28, 2016 all personal information has been redacted from the Affidavit of Service.

The confidential Exhibits has been filed in Confidence with the Board.

Please contact the undersigned if you have any questions.

Sincerely,

(Original Signed)

Bonnie Jean Adams
Regulatory Coordinator

ONTARIO ENERGY BOARD

IN THE MATTER OF the Ontario Energy Board Act, 1998, S.O. 1998, c. 15 (Sched. B), as amended (the "OEB Act") and the Municipal Franchises Act, R.S.O. 1990, c. M.55, as amended (the "MF Act");

AND IN THE MATTER OF an application under section 36 of the OEB Act for an order or orders approving a rate to be applied as a System Expansion Surcharge in respect of each Community Expansion Project by Enbridge Gas Distribution Inc.;

AND IN THE MATTER OF an application by Enbridge Gas Distribution Inc. under section 90 of the OEB Act for an order or orders granting leave to construct natural gas distribution pipelines and ancillary facilities to serve the community of Fenelon Falls in the City of Kawartha Lakes;

AND IN THE MATTER OF an application under section 8 of the MF Act for an order or orders granting a Certificate of Public Convenience and Necessity to Enbridge Gas Distribution Inc. for the construction of works in the City of Kawartha Lakes.

AFFIDAVIT OF SERVICE

I, Bonnie Jean Adams, of the City of Vaughan, 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 August 18, 2017 Letter of Direction from the Ontario Energy Board (the "Board"), I caused to be served by courier a copy of the Notice of Application (Exhibit "A") and Enbridge's Application (Exhibit "B") upon two additional property owners as listed in the redacted Permits and Agreements updated on October 19, 2017 ("Exhibit C").

3. In accordance with the Letter of Direction, attached hereto is proof, in the form of UPS courier confirmation sheets (Exhibit "D"), that the relevant Notice of Application and Enbridge's Application were served on those parties as requested by the Board's in the Letter of Direction.

SWORN before me in the City of)
Toronto, this 24 day of)
October 2017)
)
)

(Original Signed)

Bonnie Jean Adams

(Original commissioned by L. Austin)

Enbridge Gas Distribution Inc. has applied to the Ontario Energy Board for approval:

- To construct 37 kilometres of natural gas pipelines in the Regional Municipality of Durham to serve the community of Fenelon Falls
- To charge a System Expansion Surcharge of \$0.23 per m³ to all new customers taking distribution service from the facilities in the community of Fenelon Falls and all new customers of similar community expansion projects
- For a Certificate of Public Convenience and Necessity for the City of Kawartha Lakes

Learn more. Have your say.

Enbridge Gas Distribution Inc. has applied to the Ontario Energy Board for approval to construct 37 kilometres of natural gas pipelines consisting of two segments:

- The **Sunderland Segment** consists of 8 kilometres of 6 inch diameter pipeline starting in the community of Sunderland in the Township of Brock and connecting to Enbridge Gas’ existing pipeline at Farmstead Road in the City of Kawartha Lakes.
- The **Fenelon Falls Segment** consists of 29 kilometres of 6 inch and 4 inch diameter pipeline starting in the community of Oakwood and ending in the community of Fenelon Falls in the City of Kawartha Lakes.

Enbridge Gas Distribution Inc. has applied for a Certificate of Public Convenience and Necessity for the City of Kawartha Lakes to allow it to construct the natural gas facilities.

Enbridge Gas Distribution Inc. has also applied for approval to charge a System Expansion Surcharge of \$0.23 per m³ to all new customers in the community of Fenelon Falls that take service from the proposed facilities and all new customers of similar community expansion projects.

A map of the proposed pipeline project is provided below.

THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider the application filed by Enbridge Gas. During the hearing, we will question Enbridge Gas on the case. We will also hear questions and arguments from individual consumers, municipalities and others whose interests would be affected. At the end of this hearing, the OEB will decide whether to approve the application.

As part of its review of this application, the OEB will assess Enbridge Gas’ compliance with the OEB’s Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario.

The OEB will also assess whether the duty to consult with Indigenous communities potentially affected by the proposed pipeline has been discharged with respect to the application.

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 the application filed by Enbridge Gas 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 **September 5, 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-2017-0147**. 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-2017-0147** from the list on the OEB website: <http://www.oeb.ca/noticelctc>. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

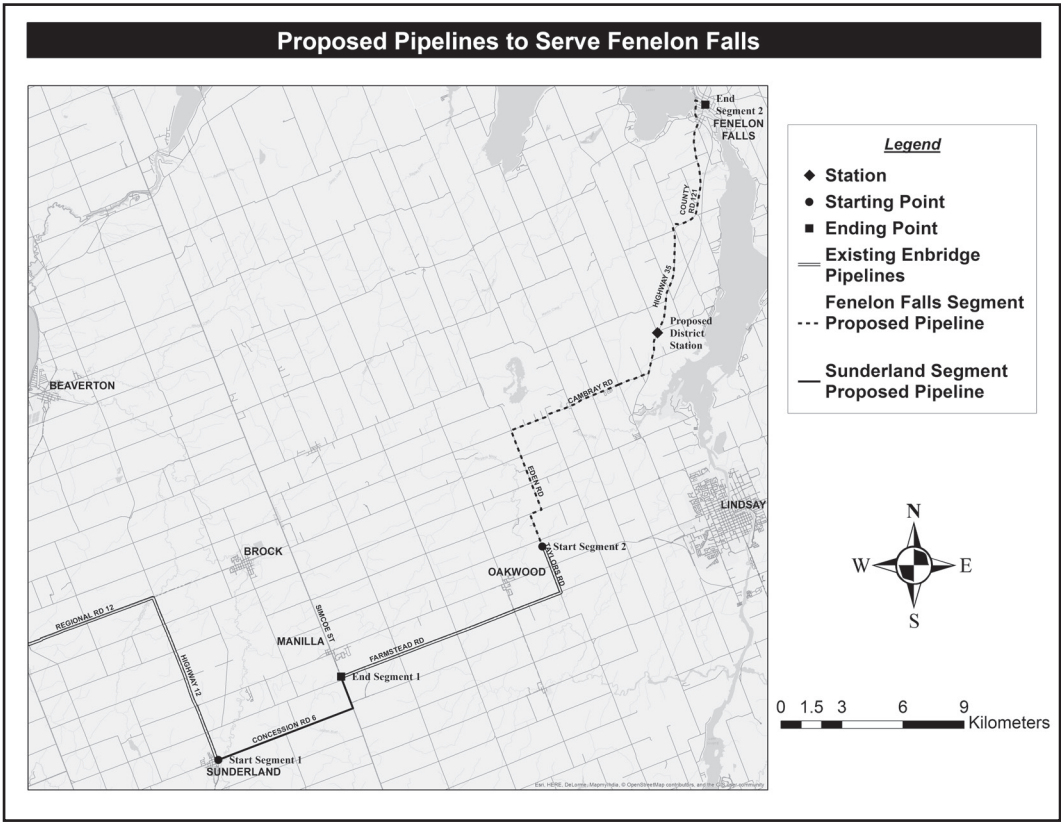
ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB will determine at a later date whether to proceed by way of a written or oral hearing. If you think an oral hearing is needed, you can write to the OEB to explain why by **September 5, 2017**.

PRIVACY

If you write a letter of comment, your name and the content of your letter 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 section 90(1), section 97 and section 36 of the Ontario Energy Board Act, 1998, S.O. 1998, c.15 (Schedule B) and section 8 of the Municipal Franchises Act R.S.O. 1990, c. M.55.



ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Sched. B), as amended (the “OEB Act”) and the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the “MF Act”);

AND IN THE MATTER OF an application under section 36 of the OEB Act for an order or orders approving a rate to be applied as a System Expansion Surcharge in respect of each Community Expansion Project by Enbridge Gas Distribution Inc.;

AND IN THE MATTER OF an application by Enbridge Gas Distribution Inc. under section 90 of the OEB Act for an order or orders granting leave to construct natural gas distribution pipelines and ancillary facilities to serve the community of Fenelon Falls in the City of Kawartha Lakes;

AND IN THE MATTER OF an application under section 8 of the MF Act for an order or orders granting a Certificate of Public Convenience and Necessity to Enbridge Gas Distribution Inc. for the construction of works in the City of Kawartha Lakes.

LEAVE TO CONSTRUCT APPLICATION: FENELON FALLS PIPELINE PROJECT

1. The Applicant, Enbridge Gas Distribution Inc. (“Enbridge”), is an Ontario corporation with its head office in the City of Toronto. It carries on the business of selling, distributing, transmitting and storing natural gas within the province of Ontario.
2. This Application is made pursuant to the guidance provided by the Ontario Energy Board (the “Board”) in its EB-2016-0004 Generic Community Expansion Decision with Reasons (“Community Expansion Decision”) issued on November 17, 2016. In accordance with the findings made by the Board in the Community Expansion Decision, Enbridge proposes a System Expansion Surcharge (“SES”) to be paid by all new customers served by Community Expansion Projects undertaken by Enbridge.
3. The proposed SES is a fixed volumetric rate of \$0.23 per cubic metre that will be charged in addition to Enbridge’s base distribution rates as approved by the Board from time to time. Enbridge hereby applies to the Board under section 36 of the OEB Act for approval

of the SES to be charged to all new customers taking gas distribution service from a Community Expansion Project.

4. Enbridge proposes to undertake a Community Expansion Project, in respect of which the SES would apply, to serve the community of Fenelon Falls in the City of Kawartha Lakes (the "Project"). The Board gave notice of Enbridge's proposal to serve Fenelon Falls and requested expressions of interest from any other parties with plans to provide natural gas services to the community, but no such expressions of interest were received. Accordingly, this Application does not engage the competitive process contemplated in the Community Expansion Decision.
5. For the purposes of providing natural gas service to Fenelon Falls, Enbridge proposes to build two natural gas pipelines (the "Facilities"). A map showing the proposed pipeline routes can be found at Exhibit C, Tab 1, Schedule 1, Attachment 1 of the pre-filed evidence filed together with this Application.
6. The proposed Facilities are comprised of two segments; the Sunderland Segment of reinforcement pipeline and the Fenelon Falls Segment of distribution pipeline. The Sunderland Segment consists of approximately 8 kilometres of Nominal Pipe Size ("NPS") 6 inch steel pipeline plus ancillary facilities. The Fenelon Falls Segment consists of approximately 29 kilometres of a combination of NPS 6 inch and NPS 4 inch steel and polyethylene pipeline, together with ancillary facilities.
7. The Sunderland Segment would originate near the point where Highway 7/12 intersects with Regional Road 10/Brock Concession Road 6 in the community of Sunderland in the Township of Brock. It would travel east along Brock Concession Road 6 and then north on Simcoe Street to a termination point at Farmstead Road where it would tie in to an existing Enbridge pipeline.
8. The Fenelon Falls Segment would originate near the intersection of Highway 7 and Taylor's Road west of the town of Lindsay in the community of Oakwood. From there it would travel north along Taylor's Road, continue east along Quaker Road, north along Eden Road and then east along Cambray Road/County Road 9 to Highway 35. From this point the pipeline would travel north to the community of Fenelon Falls, terminating near the intersection of Bond Street and Colborne Street/County Road 121.
9. Enbridge has developed forecasts of costs, customer additions and revenues for the Project and has concluded that the Project requires a grant of funding from the Infrastructure Ontario Natural Gas Grant Program in order to be economically feasible. Funding under the Natural Gas Grant Program is conditional on an expansion project receiving all necessary approvals from the Board. In order to proceed with the Project, Enbridge will require a grant of funding from Infrastructure Ontario to make the Project

economically feasible, as well as approval of Enbridge's management. On this basis, Enbridge hereby applies to the Board under section 90 of the OEB Act for leave to construct the Facilities.

10. Enbridge has entered into a Municipal Franchise Agreement with the City of Kawartha Lakes. Enbridge also holds a number of Certificates of Public Convenience and Necessity granted by the Board in respect of former municipalities that now form part of the City of Kawartha Lakes. In order to allow Enbridge to construct the Facilities to serve Fenelon Falls, Enbridge hereby applies under section 8 of the MF Act for a Certificate of Public Convenience and Necessity in respect of the City of Kawartha Lakes.
11. The route and location for the proposed pipelines were selected by an independent environmental consultant (Stantec Consulting Ltd.), through the process outlined in the Board's *Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines in Ontario (Sixth Edition, 2011)* (the "Guidelines"). Despite the environmental and socio-economic assessment work for the Fenelon Falls project having been completed prior to the release of the 7th edition of the Guidelines, Enbridge has endeavored to follow the process outlined in this most recent version of the Guidelines. To that end Enbridge engaged the Ministry of Energy to determine if there is a duty to consult requirement triggered by the Fenelon Falls project. Information on indigenous consultations and Duty to Consult activities can be found at Exhibit H, Tab 1, Schedule 1 of the pre-filed evidence.
12. Input from the public and area stakeholders and First Nations was sought during the route selection process and was incorporated into the final alignment decision. Details on the route selection and the Environmental and Socio-Economic Impact Assessment ("ER") of the proposed facilities are included at Exhibit D, Tab 1, Schedule 3, Attachment 1. The proposed measures outlined in the ER will be implemented to mitigate and potential environmental impacts.
13. Enbridge has included draft agreements at Exhibit G, Tab 1, Schedule 3 that will be offered to affected landowners where the need for an easement arises.
14. Construction is scheduled to commence no later than April 2018 in order to begin providing gas distribution service to Fenelon Falls by October 2018. Exhibit E, Tab 1, Schedule 1 provides the proposed construction schedule.
15. A list of interested parties and permitting authorities is provided at Exhibit A, Tab 2, Schedule 3.
16. Enbridge requests that this Application proceed by way of written hearing in English.

17. Enbridge therefore requests, on the basis set out in paragraph 9, above, that the Board make the following orders:
- (i) an order pursuant to section 36 of the OEB Act approving the proposed SES for all customers that take natural gas distribution service from a Community Expansion Project by Enbridge and associated changes to the Glossary of Terms in Enbridge's rate handbook;
 - (ii) an order pursuant to section 36 of the OEB Act approving an SES with a term of 40 years for all customers that take gas distribution service from the Fenelon Falls Community Expansion Project described in this Application;
 - (iii) an order pursuant to section 90 of the OEB Act granting leave to construct the Facilities;
 - (iv) an order pursuant to section 97 of the OEB Act, 1998 approving the proposed form of easement agreements; and
 - (v) an order pursuant to section 8 of the MF Act granting a Certificate of Public Convenience and Necessity to Enbridge in respect of the City of Kawartha Lakes.
18. Enbridge requests that copies of all documents filed with the Board in connection with this proceeding be served on it and on its counsel, as follows:
- (a) The Applicant: Regulatory Affairs
Enbridge Gas Distribution Inc.

Address for personal service: 500 Consumers Road
Toronto, ON M2J 1P8

Mailing Address: P. O. Box 650
Scarborough, ON M1K 5E3

Telephone: (416) 495-5499
Fax: (416) 495-6072
E-Mail: EGDRegulatoryProceedings@enbridge.com

(b) The Applicant's counsel: Fred D. Cass
Aird & Berlis LLP

Address for personal service and mailing address: Suite 1800, Box 754
Brookfield Place, 181 Bay Street
Toronto, Ontario
M5J 2T9

Telephone: (416) 865-7742
Fax: (416) 863-1515
E-Mail: fcass@airdberlis.com

DATED JULY 26, 2017, at Toronto, Ontario.

ENBRIDGE GAS DISTRIBUTION INC.
By its counsel

AIRD & BERLIS LLP

[original signed]

Fred D. Cass

PERMITS AND AGREEMENTS REQUIRED

1. Easements or permits will be required from the following authorities:

<u>AUTHORITY</u>	<u>PURPOSE</u>
City of Kawartha Lakes 26 Francis Street P.O. Box 9000 Lindsay, Ontario K9V 5R8 Attn: Dustin Vranich	Permits, where required, for Road Allowance, Temporary Working Area Agreement, Tree Cutting Notification, Road Use Agreement and Noise By-law Exemption permits as required
The Regional Municipality of Durham 605 Rossland Road East P.O. Box 623 Whitby, Ontario L1N 6A3 Attn: Lawrence Corby – Transportation Infrastructure	Permits, where required, for Road Allowance, Temporary Working Area Agreement, Tree Cutting Notification and Road Use Agreement permits as required
The Township of Brock 1 Cameron Street East P.O. Box 10 Cannington, Ontario, L0E 1E0 Attn: Nick Colucci	Permits, where required, for Road Allowance, Temporary Working Area Agreement, Tree Cutting Notification, Road Use Agreement and Noise By-Law Exemption permits as required
Ontario Ministry of the Environment and Climate Change Eastern Region Technical Support Section 1259 Gardiners Rd, Unit 3 Kingston, Ontario K7P 3J6 Attn: Peter Taylor	Permit to Take Water (if water taking is greater than 50,000L per day)
Ontario Ministry of Natural Resources and Forestry Midhurst District 2284 Nursery Rd Midhurst, Ontario L9X 1N8 Attn: Shawn Carey	Permits, where required, for: <ul style="list-style-type: none">- Species at Risk Permit- Work Permits- Species at Risk Overall Benefit Permit\- Clearing of Vegetation

<u>AUTHORITY</u>	<u>PURPOSE</u>
Department of Fisheries and Oceans 867 Lakeshore Road Burlington, Ontario L7S 1A1 Telephone: (1-855-852-8320) Attn: Referral Coordinator	Self-Assessment for Serious Harm to Fish, or Request for Review
Environment and Climate Change Canada 351, boul. Saint-Joseph Gatineau, Quebec K1A 0H3 Attn: Judith Kennedy	Nest weeps to be conducted at a maximum of 7 days prior to vegetation removal during the bird nesting season, (e.g. April 1 to August 21), as per the <i>Migratory Birds Convention Act</i>
Parks Canada 2155 Ashburnham Drive Peterborough, Ontario K9L 1P8 Attn: Jane Pymoshuk	In-water and Shoreline Works Permit
Kawartha Conservation Authority 277 Kenrei Park Road Lindsay, Ontario K9V 4R1 Attn: Stacy Porter	Permits for Interference with Wetlands and Alterations to Shorelines and Watercourses
Lake Simcoe Region Conservation Authority 120 Bayview Parkway Newmarket, Ontario L3Y 4X1 Attn: Tom Hogenbirk	Permits for Interference with Wetlands and Alterations to Shorelines and Watercourses
Ministry of Tourism, Culture, and Sport (MTCS) Programs and Services Branch 401 Bay St, Suite 1700 Toronto, Ontario M7A 0A7 Attn: Peter Armstrong	Archaeological clearance under the <i>Ontario Heritage Act (OHA)</i> , Review of Built Heritage and Cultural Landscape under the OHA

<u>AUTHORITY</u>	<u>PURPOSE</u>
Ministry of Transportation Ontario 300 Water Street, 1 st Floor, South Tower Peterborough, Ontario K9J 3C7 Attn: Donald Lawrence	Encroachment permits to work within provincial highway right-of-ways
Transport Canada (TC) 100 South Front Street Sarnia, Ontario N7T 2M4 Attn: Katie Gaulton	Self-assessment required to determine if proposed work taking place on a scheduled waterway (e.g. Fenelon River) falls under the <i>Minor Works Order</i> , or if a Notice to the Minister must be submitted.
[REDACTED] [REDACTED] [REDACTED] [REDACTED]	Forced Road
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Forced Road
[REDACTED] [REDACTED] [REDACTED] [REDACTED]	Temporary work space
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Temporary work space

/u

/u

United Parcel Service
Daily Manifest Customer Copy

Page : 1

EXHIBIT D


ENBRIDGE GAS DISTRIBUTION
500 CONSUMERS RD
NORTH YORK, ON, M2J1P8

UPS SHIPPER NUMBER:
PICK UP RECORD #:
DATE SHIPPED:

4R7V94
4555518553
19/OCT/2017

EDI

Domestic Shipments

Reference	Consignee Information	Service	Postal Code	Zone	Weight	Billed Charge
RD2017RC 02		Expedited	K0M 1G0	303	0	32.90
Payment Type: PREPAID Bill to Account: 4R7V94 Bill to Company: ENBRIDGE GAS DISTRIBUTION		Total :				32.90

PACKAGES	Tracking Number	Delivery Confirmation	Weight	COD Amount	Declared Value
	1Z4R7V941764905461		0		

RD2017RC 02		Expedited	K9V 3V7	302	0	20.25
Payment Type: PREPAID Bill to Account: 4R7V94 Bill to Company: ENBRIDGE GAS DISTRIBUTION		Total :				20.25

PACKAGES	Tracking Number	Delivery Confirmation	Weight	COD Amount	Declared Value	
	1Z4R7V941764905470		0			
Total:					2 Package(s)	53.15
Grand Total:					2 Package(s)	53.15

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Front door

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