



EB-2017-0147

Enbridge Gas Distribution Inc.

Application for approval to construct a natural gas pipeline in the Township of Brock and the City of Kawartha Lakes to supply gas to Fenelon Falls

PROCEDURAL ORDER NO. 1

November 22, 2017

On July 26, 2017 Enbridge Gas Distribution Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) under s. 90(1) and s. 36 of the *Ontario Energy Board Act, 1998* (OEB Act) and under s. 8 of the *Municipal Franchises Act* (Franchises Act) for approvals that would allow Enbridge Gas to provide natural gas service to the community of Fenelon Falls in the Township of Brock and the City of Kawartha Lakes (Fenelon Falls Project).

Enbridge has requested the following approvals:

- Approval to construct 37 kilometres of natural gas pipelines under s. 90 (1), 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's 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.
- Approval for a Certificate of Public Convenience and Necessity under s. 8 of the Franchises Act for the City of Kawartha Lakes to allow it to construct the natural gas facilities.
- Approval under s. 36 of the OEB Act 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.

The OEB issued a Notice of Hearing on August 18, 2017. On October 30, 2017, the OEB issued a revised Notice of Hearing to advise Indigenous communities that the OEB's review of this application may serve as a component of the Crown's duty to consult for the Fenelon Falls Project. Enbridge Gas served and posted the notices as directed.

Each of Anwaatin Inc. (Anwaatin), Consumers Council of Canada (CCC), Canadian Propane Association (CPA), School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility. The OEB also received a letter from counsel to Anwaatin and Hiawatha First Nation indicating that Hiawatha First Nation will be represented by Anwaatin in this proceeding.

No objection was received from Enbridge Gas.

Anwaatin, CCC, CPA, SEC and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. Anwaatin, CCC, CPA, SEC and VECC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

Enbridge Gas has requested a written hearing. Anwaatin has requested an oral hearing, while SEC stated that it would be premature to determine the type of hearing before receiving responses to interrogatories. The OEB will determine the type of hearing later in the process. This Procedural Order will set out the schedule to the conclusion of the written interrogatory process.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

THE ONTARIO ENERGY BOARD THEREFORE ORDERS THAT:

1. OEB staff and intervenors shall request any relevant information and material from Enbridge Gas that is in addition to Enbridge Gas' evidence by written interrogatories filed with the OEB and delivered to Enbridge Gas by **December 8, 2017**.

2. Enbridge Gas shall file with the OEB complete written responses to the interrogatories and deliver them to intervenors by **December 22, 2017**.

All filings to the OEB must quote the file number, EB-2017-0147 and be made electronically in searchable / unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD 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 Registrar at the address below, and be received no later than 4:45 p.m. on the required date. 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.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

E-mail: boardsec@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, November 22, 2017

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar

SCHEDULE A
PROCEDURAL ORDER NO.1
ENBRIDGE GAS DISTRIBUTION INC.
EB-2017-0147
NOVEMBER 23, 2017
LIST OF PARTIES

**Enbridge Gas Distribution Inc.
EB-2017-0147**

APPLICANT & LIST OF INTERVENORS

November 23, 2017

APPLICANT

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APPLICANT & LIST OF INTERVENORS

November 23, 2017

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APPLICANT & LIST OF INTERVENORS

November 23, 2017

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APPLICANT & LIST OF INTERVENORS

November 23, 2017

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**Vulnerable Energy
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November 23, 2017

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