

**UNION GAS LIMITED  
OXFORD REINFORCEMENT LEAVE TO CONSTRUCT  
EB-2018-0003**

**OEB STAFF INTERROGATORIES**

**Interrogatory # 1**

**Ref:** Pre-filed Evidence, page 1

**Preamble:**

Union Gas Limited (Union) requests leave to construct approximately 5.2 kilometers nominal pipe size 8 inch natural gas pipeline in the Counties of Oxford and Norfolk. The Proposed Facilities would extend from the corner of Potters Road and Baseline Road in the County of Oxford to the corner of Windham Road 20 and Swimming Pool Road in the County of Norfolk.

**Questions:**

- a) Please provide copies of the applicable Municipal Franchise Agreements.
- b) Please provide copies of the applicable certificates of public convenience and necessity.

**Interrogatory # 2**

**Ref:** Pre-filed Evidence, page 1, paragraphs 2 and 3  
Pre-filed Evidence, Schedule 12

**Preamble:**

The Proposed Facilities are required to meet the increasing demand for natural gas associated with forecasted general service additions in the Counties of Brant, Oxford, Haldimand, and Norfolk. The total project cost of the Proposed Facilities is estimated to be \$7.4 million. A breakdown of the costs is provided in Schedule 12.

**Questions:**

- a) Please compare the total capital cost of the Proposed Facilities to one or more comparable projects completed by Union in the last ten years.
- b) The total estimated capital cost contains a 15% contingency. Please explain why a lower contingency rate is not appropriate for this project.
- c) Please confirm that there are no contributions in aid of construction (CIAC) associated with this proposed project.

### Interrogatory # 3

**Ref:** Pre-filed Evidence, page 2  
Pre-filed Evidence, Schedule 15

#### **Preamble:**

Union states that it met with all directly affected landowners and has obtained the majority of the land rights required to complete the Project. Union states that no permanent easements are required. Union anticipates obtaining the remaining temporary easements and fee simple land purchases prior to construction.

According to section 97 of the *Ontario Energy Board Act, 1998* (OEB Act), "In an application under section 90, 91 or 92, leave to construct shall not be granted until the applicant satisfies the Board that it has offered or will offer to each owner of land affected by the approved route or location an agreement in a form approved by the Board." Union will therefore require the OEB's approval of the form of easement agreement that it has offered or will offer to the affected landowners.

#### **Questions:**

- a) What is the current status and prospect of communication and negotiations with landowners of properties where fee simple land purchases are needed?
- b) Please confirm that no permanent land use rights are needed. If permanent land use rights are needed, what is the current status and prospect of communication and negotiations with landowners of properties where permanent land use rights are needed?
- c) What is the current status and prospect of communication and negotiations with landowners of properties where temporary land use rights are needed?
- d) Please provide a copy of the temporary land use agreement that has been offered (or will be offered) to all directly affected landowners.
- e) Has the form of temporary land use agreement Union has offered (or will offer) to all directly affected landowners been previously approved by the OEB, and if so, in which proceeding?
- f) If the answer to e) is no, what is the most recent proceeding that Union obtained approval from the OEB of its temporary land use agreement? What are the differences between that agreement and the agreement filed in response to d) above?

#### **Interrogatory # 4**

**Ref:** Pre-filed Evidence, page 10, paragraph 55

**Preamble:**

Copies of the Environmental Reports were submitted to the Ontario Pipeline Coordination Committee (OPCC) on November 17, 2017. A summary of the comments regarding the Environmental Reports and Union's responses will be provided when received.

**Question:**

Please file an update on the comments (in tabular format) that Union received as part of the OPCC review and in any public consultation. Include the dates of communication, the issues and concerns identified by the parties, as well as Union's responses and actions to address these issues and concerns.

#### **Interrogatory # 5**

**Ref:** Pre-filed Evidence, Schedule 5

**Preamble:**

The report *System Design Criteria for Reinforcement on the Eastern Transmission Gas Delivery System* identifies and provides commentary on alternatives to the Proposed Facilities.

**Question:**

Please provide cost estimates for all of the alternatives to the Proposed Facilities identified in the report.

#### **Interrogatory # 6**

**Ref:** Pre-filed Evidence, Schedule 11

**Preamble:**

The project schedule suggests that Union anticipates a decision from the OEB in May, 2018.

**Question:**

Please discuss how a possible delay of the in-service date may affect the proposed project.

## Interrogatory # 7

**Ref:** Pre-filed Evidence, Schedule 16, page 30, section 2.5.4.2

**Preamble:**

A Stage 1 and Stage 2 archaeological assessment and a Cultural Heritage Assessment of the preferred route were completed and submitted to the Ministry of Tourism, Culture, and Sport (MTCS) for review and input.

**Questions:**

- a) What is the status of MTCS' review of the Stage 1 and Stage 2 archaeological assessments and Cultural Heritage Assessment?
- b) Please provide copies of any correspondence Union has received from MTCS since providing the Stage 1 and Stage 2 archaeological assessment and Cultural Heritage Assessment for review and input.

## Interrogatory # 8

**Ref:** Pre-filed Evidence, Schedule 16, page 309

**Question:**

The *Addendum to the Oxford Reinforcement Pipeline Project Environmental Report* is water marked "Draft". Please confirm this is the final draft. If not, please provide a copy of the final draft.

## Interrogatory # 9

**Ref:** Pre-filed Evidence, page 1

Union applied for leave to construct facilities under section 90(1) of the OEB Act.

**Question:**

OEB staff has prepared the draft Conditions of Approval set out on the following page. If Union does not agree to any of the draft conditions of approval noted below, please identify the specific conditions that Union disagrees with and explain why.

For conditions in respect of which Union would like to recommend changes, please provide the proposed changes.

**Draft**  
**Leave to Construct Conditions of Approval**  
**Application under Section 90 of the OEB Act**  
**Union Gas Limited**  
**EB-2018-0003**

1. Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2017-0261 and these Conditions of Approval.
2. (a) Authorization for leave to construct shall terminate 12 months after the decision is issued, unless construction has commenced prior to that date.  
  
(b) Union shall give the OEB notice in writing:
  - i. of the commencement of construction, at least ten days prior to the date construction commences;
  - ii. of the planned in-service date, at least ten days prior to the date the facilities go into service;
  - iii. of the date on which construction was completed, no later than 10 days following the completion of construction; and
  - iv. of the in-service date, no later than 10 days after the facilities go into service.
3. Union shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
4. Union shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
5. Union shall file, in the proceeding where the actual capital costs of the project are proposed to be included in rate base, a Post Construction Financial Report, which shall indicate the actual capital costs of the project and shall provide an explanation for any significant variances from the cost estimates filed in this proceeding.

6. Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:
  - a) A post construction report, within three months of the in-service date, which shall:
    - i. provide a certification, by a senior executive of the company, of Union's adherence to Condition 1;
    - ii. describe any impacts and outstanding concerns identified during construction;
    - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;
    - iv. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and
    - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate and maintain the proposed project.
  - b) A final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
    - i. provide a certification, by a senior executive of the company, of Union's adherence to Condition 3;
    - ii. describe the condition of any rehabilitated land;
    - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction;

- iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and
- v. include a log of all complaints received by Union, including the date/time the complaint was received; a description of the complaint; any actions taken to address the complaint; and the rationale for taking such actions.