

**EPCOR Natural Gas Limited Partnership**

**Application for leave to construct natural gas transmission pipeline  
and associated facilities and for associated approvals to serve the  
Municipality of Arran-Elderslie, the Municipality of Kincardine and  
the Township of Huron-Kinloss**

**PROCEDURAL ORDER NO. 1**

**April 17, 2019**

EPCOR Natural Gas Limited Partnership (ENGLP) applied to the Ontario Energy Board (OEB) under sections 90(1) and 97 of the *Ontario Energy Board Act, 1998* for leave to construct approximately 298 kilometres of natural gas pipeline to serve the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss and approval of the forms of easement agreement related to the construction of the proposed pipeline. ENGLP also applied under section 9 of the *Municipal Franchises Act, 1990* for approval of a natural gas franchise agreement with each of the Corporation of the County of Bruce, the Corporation of the County of Grey, the Corporation of the Municipality of Arran-Elderslie, the Corporation of the Municipality of Brockton, the Corporation of the Municipality of Kincardine, the Corporation of the Municipality of West Grey, the Corporation of the Township of Chatsworth and the Corporation of the Township of Huron-Kinloss. ENGLP also applied under section 8 of the *Municipal Franchises Act, 1990* for approval of a certificate of public convenience and necessity for each of the County of Bruce, the County of Grey, the Municipality of Brockton, the Municipality of West Grey and the Township of Chatsworth.

The OEB issued a Notice of Hearing on March 22, 2019. Each of Anwaatin Inc. (Anwaatin), the Corporation of the Municipality of Brockton (Municipality of Brockton), Enbridge Gas Inc. (Enbridge Gas), Industrial Gas Users Association (IGUA) and the Municipality of Kincardine, the Municipality of Arran-Elderslie and the Township of Huron-Kinloss (Southern Bruce Municipalities) applied for intervenor status. Anwaatin and IGUA also applied for cost eligibility.

ENGLP filed a letter dated April 16, 2019, stating that while it did not object to the intervention requests, it was concerned with the proposed scope of IGUA's intended participation. ENGLP requested that the OEB set conditions on the scope of intervenor

participation, limiting it to matters directly relevant to this proceeding. By letter dated April 17, 2019, IGUA clarified that the issues it wishes to pursue would be constrained by the scope of the proceeding.

Anwaatin noted that it was granted intervenor status in the Generic Proceeding on Natural Gas Expansion (EB-2016-0137/ EB-2016-0138/ EB-2016-0139). The OEB has reviewed correspondence<sup>1</sup> submitted by Anwaatin in the Generic Proceeding and notes that Anwaatin's membership includes communities that are affected by the project. Accordingly, the OEB is satisfied that Anwaatin has a "substantial interest" in this proceeding within meaning of Rule 22.02 of the OEB's *Rules of Practice and Procedure*.

Anwaatin, the Municipality of Brockton, Enbridge Gas, IGUA and the Southern Bruce Municipalities are approved as intervenors. Anwaatin and IGUA are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. Parties are reminded to focus their participation on issues that are within the scope of the proceeding as established by the OEB. Parties are further reminded that in making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on issues that are within the scope of the proceeding.

The list of parties in this proceeding is attached as Schedule A to this procedural order. 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.

**IT IS THEREFORE ORDERED THAT:**

1. Parties shall request any information and material from ENGLP that is in addition to ENGLP's evidence and that is relevant to the hearing by written interrogatories filed with the OEB and delivered to ENGLP and the other parties by **April 24, 2019**.
2. ENGLP shall file with the OEB and deliver to parties complete written responses to all interrogatories by **May 1, 2019**.
3. Unless the OEB orders otherwise, parties may file any written submission with the OEB and serve them on ENGLP by **May 15, 2019**.

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<sup>1</sup> Letter from Anwaatin Inc. to Ontario Energy Board, dated March 16, 2017, EB-2016-0137/EB-2016-0138/ EB-2016-0139

4. Unless the OEB orders otherwise, ENGLP may file a written reply submission with the OEB and serve it on all parties by **May 22, 2019**.

All filings to the Board must quote the file number, EB-2018-0263 and be made electronically in searchable / unrestricted PDF format through the OEB's web portal at <https://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 USB flash drive 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.

### **ADDRESS**

Ontario Energy Board  
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2300 Yonge Street, 27th Floor  
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**DATED** at Toronto, April 17, 2019

**ONTARIO ENERGY BOARD**

*Original signed by*

Christine E. Long  
Registrar

**SCHEDULE A**

**LIST OF APPLICANT AND INTERVENORS**

**EPCOR NATURAL GAS LIMITED PARTNERSHIP**

**EB-2018-0263**

**April 17, 2019**

**EPCOR Southern Bruce Gas Inc.**

**EB-2018-0263**

**APPLICANT & LIST OF INTERVENORS**

April 17, 2019

**APPLICANT**

**Rep. and Address for Service**

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Inc.**

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**EPCOR Southern Bruce Gas Inc.**

**EB-2018-0263**

**APPLICANT & LIST OF INTERVENORS**

April 17, 2019

**INTERVENORS**

**Rep. and Address for Service**

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**Larry Sault**

Chief Executive Officer

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**EPCOR Southern Bruce Gas Inc.**

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**APPLICANT & LIST OF INTERVENORS**

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April 17, 2019

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**EPCOR Southern Bruce Gas Inc.**

**EB-2018-0263**

**APPLICANT & LIST OF INTERVENORS**

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**EPCOR Southern Bruce Gas Inc.**

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**APPLICANT & LIST OF INTERVENORS**

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April 17, 2019

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