

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. 2

May 14, 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 approvals to be able 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.

The OEB issued a Notice of Hearing on March 22, 2019. In accordance with Procedural Order No. 1 issued on April 17, 2019, parties filed interrogatories on April 24, 2019. ENGLP filed its responses on May 1, 2019.

On May 10, 2019, ENGLP filed revised responses to interrogatories, which included updated information regarding impacted landowners. ENGLP stated that the number of potentially affected properties has changed from 17 to 39 since ENGLP filed the application, and that ENGLP would be providing each of these affected landowners with a copy of the OEB Notice and where possible, an update of the leave to construct process by no later than May 13, 2019.

The OEB would like to provide an opportunity for the additional landowners to participate in the hearing, if desired. ENGLP is directed to serve the Notice issued by the OEB on March 22, 2019, the application and the evidence on the additional landowners identified in its interrogatory responses, and all other currently registered property owners and encumbrancers with lands or interest in the lands directly affected by the proposed pipeline and related facilities who have not been previously served. ENGLP is also directed to include a cover letter stating that while the Notice requires parties to apply for intervenor status by April 15, 2019, the identified additional

landowners will be allowed to apply within 10 days of the receipt of the Notice, up to **May 27, 2019**. ENGLP is also directed to file with the OEB an affidavit in both electronic and paper forms proving the completion of these matters immediately thereafter. ENGLP should ensure that this is the full extent of potentially directly affected property owners and encumbrancers with lands or interest in the relevant lands, or risk further delays in the proceeding.

It is necessary to make provision for the following matters related to this proceeding. These procedural steps and dates supersede those included in Procedural Order No. 1. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. ENGLP shall immediately arrange for the service of the March 22, 2019 Notice, and the application and the evidence, directly on all property owners and encumbrancers with lands or interest in lands directly affected by the proposed pipeline and related facilities who have not been previously served. ENGLP is also to inform these parties that they have up to **May 27, 2019** to apply for intervenor status.
2. ENGLP shall file with the OEB an affidavit in both electronic and paper forms proving completion of the matters.
3. Unless the OEB orders otherwise, parties may file final written submission with the OEB and serve them on ENGLP by **June 3, 2019**.
4. Unless the OEB orders otherwise, ENGLP may file a written reply submission with the OEB and serve it on all parties by **June 10, 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
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

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

DATED at Toronto, May 14, 2019

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary