

Enbridge Gas Inc.

**Application for leave to construct natural gas pipelines
and associated facilities in the City of North Bay**

PROCEDURAL ORDER NO. 1

March 2, 2020

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) under section 90(1) and 97 of the *Ontario Energy Board Act, 1998* (OEB Act) for approval to construct 27 kilometres of natural gas pipelines and associated facilities to serve certain areas within the City of North Bay and approval for the form of permanent and temporary land use agreements related to the construction of the proposed pipeline. Enbridge Gas is also seeking approval pursuant to section 36 of the OEB Act, to charge a System Expansion Surcharge of \$0.23 per cubic metre (m³) for a term of 40 years, to all new customers taking natural gas distribution service from the proposed pipeline, and to any future extensions of the pipeline.

A Notice of Hearing was issued on February 4, 2020. Each of Pollution Probe and Environmental Defence applied for intervenor status and cost eligibility. No objection was received from Enbridge Gas.

In its letter of intervention Pollution Probe states that its interest in this proceeding relates to assessing the financial risks resulting from low customer penetration rates and the proposed environmental mitigation measures. Pollution Probe is also interested in the environmental assessment and customer engagement around the availability of demand side management programs. In its letter of intervention, Environmental Defence states that its interests relate to the impact on customers of the financial risks, revenue shortfalls and cost overruns, the appropriateness of the customer penetration forecast, and whether Enbridge Gas has complied with relevant government legislation and policies.

Pollution Probe and Environmental Defence are approved as intervenors and are eligible to apply for cost awards pursuant to the OEB's *Practice Direction on Cost Awards*. The OEB notes that Pollution Probe and Environmental Defence are interested in similar issues and therefore the OEB expects both parties to coordinate their participation on common issues so as to limit any duplication. Parties are also reminded

that in making its decision on cost awards, the OEB will consider whether Pollution Probe and Environmental Defence participated responsibly and made reasonable efforts to, avoid duplication and focus their participation on material issues. Pollution Probe and Environmental Defence should carefully review the OEB's *Practice Direction on Cost Awards* for information about the types of costs and disbursements that may be claimed.

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. Intervenor and OEB staff shall request any information and material from Enbridge Gas that is in addition to Enbridge Gas' evidence and that is relevant to the hearing by written interrogatories filed with the OEB and served to Enbridge Gas by **March 12, 2020**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on all parties, by **March 27, 2020**.
3. Enbridge Gas shall file its argument-in-chief with the OEB and serve it on all parties by **April 6, 2020**.
4. If intervenors and OEB staff wish to file written submissions, the submissions must be filed with the OEB and served on Enbridge Gas Inc., by **April 16, 2020**.
5. Enbridge Gas may file a written reply submission with the OEB and serve it on all parties by **April 27, 2020**.

All materials filed with the OEB must quote the file number, **EB-2019-0188**, be made in a searchable/unrestricted PDF format and sent electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and email 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 computer access are required to file seven paper copies.

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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Azalyn Manzano at Azalyn.Manzano@oeb.ca.

ADDRESS

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

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

DATED at Toronto, March 2, 2020

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary

Schedule A

Procedural Order No. 1

Enbridge Gas Inc.

EB-2019-0188

Applicant and List of Intervenor

March 2, 2020

**Enbridge Gas Inc.
EB-2019-0188**

APPLICANT & LIST OF INTERVENORS

March 2, 2020

APPLICANT

Rep. and Address for Service

Enbridge Gas Inc.

Asha Patel

Technical Manager
Enbridge Gas Inc.
500 Consumers Rd.
Toronto, ON M2J 1P8

Tel: 416-495-5642
Fax: 416-495-6072
EGRegulatoryProceedings@enbridge.com

APPLICANT COUNSEL

Tania Persad

Senior Legal Counsel
Enbridge Gas Distribution Inc.
500 Consumers Road
Willowdale ON M2J 1P8
Tel: 416-495-5891
Fax: 416-495-5994
tania.persad@enbridge.com

INTERVENORS

Rep. and Address for Service

Environmental Defence

Jack Gibbons

Ontario Clean Air Alliance
160 John Street, Suite 300
Toronto ON M5V 2E5
Tel: 416-260-2080 Ext: 2
jack@cleanairalliance.org

**Enbridge Gas Inc.
EB-2019-0188**

APPLICANT & LIST OF INTERVENORS

March 2, 2020

Environmental Defence

Kent Elson

Counsel
Elson Advocacy
1062 College Street
Lower Suite
Toronto ON M6H 1A9
Tel: 416-906-7305
Fax: 416-763-5435
kent@elsonadvocacy.ca

Pollution Probe

Michael Brophy

Consultant
Pollution Probe
28 Macnaughton Road
Toronto ON M4G 3H4
Tel: 647-330-1217
michael.brophy@rogers.com