

Ms. Christine Long
Registrar & Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

March 17, 2020

**Re: EB-2020-0096 2021 Early Access to Dawn Parkway Expansion Project
EB-2019-0159 Dawn Parkway Expansion Project**

Dear Ms. Long:

Pollution Probe is in receipt of the March 16, 2020 Enbridge request to the OEB for early access approval to a portion of the proposed Dawn Parkway Pipeline Project (EB-2019-0159) for the purposes of conducting environmental, archaeological and engineering examinations, as well as preparing a legal survey. There are significant environmental and socio-economic issues along the proposed transmission project route and it is important to have an open, transparent and comprehensive engagement and review for all elements and requests related to this project, including the consideration for early access to portion of the proposed pipeline right of way. The proposed activities include geotechnical and hydrological assessments which are generally intrusive by nature and require disturbance of soil, groundwater, plants and animals. There are also potential impacts related to access roads, spill protection, species at risk and other considerations that should be considered prior to OEB approvals.

The urgent request for OEB review and approval of the pipeline and early access does not seem practical without a detailed timeline for all related planning, consultation, approval and construction activities to determine if an in-service date of November 2021 is possible. Typical transmission projects (particularly large diameter in sensitive areas) require environmental and socio-economic studies, evaluations and mitigation plans as part of the Environmental Report process. The completed Environmental Report, supporting studies and mitigation plans are then typically circulated to members of the Ontario Pipeline Coordination Committee (OPCC), relevant stakeholders and permitting authorities. OPCC, stakeholders and permitting authorities then have an opportunity to respond, seek clarification or include conditions that require additional studies or mitigation plans. Only after all of this is done, is a complete application available. It now appears that a complete application may not be available until at least April 2020 and it is unclear how the schedule will allow the OPCC, and stakeholders to review the completed materials.

Pollution Probe is an approved intervenor in the Dawn Parkway Expansion Project proceeding and hereby applies for intervenor status and requests that it be eligible for the recovery of reasonably incurred costs for its participation in this related proceeding.

Pollution Probe is a frequent intervenor in Board proceedings and a copy of the current Annual Filing can be found on the Board's website at the following location:

<http://www.rds.oeb.ca/HPECMWebDrawer/Record/647508/File/document>

Goals and Objectives

Pollution Probe intends to focus on the following issues in the early access proceeding:

- Environmental and socio-economic impact related to early access to sensitive lands.
- The baseline condition of the properties to determine damages from the proposed activities.
- The benefit of allowing the parties to resolve access through the current negotiations.
- The OEB recently finalized the issues list for the proposed project. In its decision, the OEB indicated that it does not have jurisdiction for ex-franchise issues. The needs for the project and request for early access has been justified (in part) based on ex-franchise demand.

Intention to Seek Cost Awards

Pollution Probe is a not-for-profit charitable organization. We receive individual donations as well as funding for consumer and research projects, such as on community energy planning, future of natural gas and regulated utility innovation, from a variety of public and private sources. Without the prospect of an award of costs, Pollution Probe's ability to participate in the consultation process would not be possible. Pollution Probe has been an active and valuable participant in proceedings before the Ontario Energy Board and will continue to coordinate its activities, where appropriate, with other parties which represent consumer, community and environmental interests in Ontario.

Pollution Probe respectfully requests your acceptance of this request to participate and confirmation that it will be eligible for its costs.

Notice

Pollution Probe requests that further communications with respect to this matter be sent to:

Michael Brophy
Consultant for Pollution Probe
28 Macnaughton Road
Toronto, Ontario M4G 3H4
Phone: 647-330-1217
Email: Michael.brophy@rogers.com

Respectfully submitted on behalf of Pollution Probe.



Michael Brophy, P.Eng., M.Eng., MBA
Consultant to Pollution Probe

cc: Adam Stiers, Enbridge (email via EGIRegulatoryProceedings@enbridge.com)
Guri Pannu Senior Legal Counsel, Enbridge Regulatory (via email)
Interested Parties for EB-2019-0159
Richard Carlson, Pollution Probe (via e-mail)