



---

## THE BOARD OF DIRECTORS

PATRICIA ADAMS  
Chair and President  
ANN CAVOUKIAN  
Executive Director, PBID, Ryerson University  
ANDREW COYNE  
Columnist, Globe and Mail  
IAN GRAY  
President, St. Lawrence Starch Co. Ltd.  
GAIL REGAN  
President, Cara Holdings Inc.  
GEORGE TOMKO  
Expert-in-Residence in IPSI, University of Toronto

MAX ALLEN  
Producer, CBC Radio  
DAVID CAYLEY  
Writer and Broadcaster  
GLENN FOX  
Economist, University of Guelph  
BRUCE PARDY  
Professor of Law, Queen's University  
ANDREW ROMAN  
Lawyer

July 8, 2020

Christine E. Long  
Registrar and Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street  
Toronto ON  
M4P 1E4

Dear Ms. Long

**RE: EB-2020-0160 Enbridge Gas Windsor Pipeline Section 101 Application  
Energy Probe Intervenor and Cost Eligibility Request Letter**

Energy Probe Research Foundation (Energy Probe) hereby applies for intervenor status in the EB-2020-0160 proceeding, the application by Enbridge Gas Inc. to the Ontario Energy Board for approval of its application under Section 101 of the OEB Act.

### Statement of Interest

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. It will be representing its many individual residential customer supporters. Energy Probe argues for equitable rates that optimize results for all ratepayers by eliminating cross subsidies between ratepayer classes and between generations of ratepayers. It promotes sustainable resource use through individual responsibility and accountability. More information about Energy Probe can be found on the OEB website.

<https://www.oeb.ca/industry/applications-oeb/intervenor-information/annual-filings-frequent-intervenors>

Energy Probe was an intervenor in the EB-2019-0172 Enbridge Gas Inc. Windsor Pipeline Replacement Leave to Construct Proceeding. In its Argument Energy Probe submitted that there was insufficient evidence on the record for the OEB to approve the project based on integrity grounds. In its decision of April 1, 2020, the OEB noted the deficiencies in integrity evidence<sup>1</sup> but

---

<sup>1</sup> EB-2019-0172 Decision and Order, April 1, 2020, page 6

nevertheless approved the application. In its decision the OEB noted that Enbridge had agreed to certify that it has obtained all approvals, permits, licences, and certificates required to construct the project prior to the start of construction.<sup>2</sup> It now appears that Enbridge Gas started construction prior to obtaining the required permit from the County of Essex.

Energy Probe's supporters that are customers of Enbridge Gas will be affected by the outcome of this proceeding as it may result in a rate increase if Enbridge Gas is not held accountable for its management of this project. Specifically, Energy Probe will focus on the reasons for and the analysis of the two alternatives presented by Enbridge Gas in its application.

### **Costs**

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding, and expects to intervene responsibly, cognizant of the Board's guidelines regarding cost awards.

### **Communications**

Communications relating to this Intervenor Request Letter, including but not limited to all documents filed with the Board by the applicant and required by Energy Probe, should be directed to consultant.

Tom Ladanyi  
TL Energy Regulatory Consultants Inc.  
41 Divadale Drive  
Toronto ON  
M4G 2N7  
Tel: 416 423-3685  
[tom.ladanyi@rogers.com](mailto:tom.ladanyi@rogers.com)

Respectfully submitted on behalf of Energy Probe.

Tom Ladanyi  
Consultant representing Energy Probe

---

<sup>2</sup> Ibid, page 15