

ONTARIO ENERGY BOARD

Windsor Pipeline Replacement Project – Section 101 Application

**POLLUTION PROBE INTERROGATORIES
TO
ENBRIDGE**

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Consultant for Pollution Probe

Pollution Probe #1

[Ex. A, T2, Sch.1]

- a) Please confirm that the new NPS 6 pipeline approved in EB-2019-0172 meets the definition of a transmission line, thereby requiring Leave to Construct approval. If incorrect, please explain.
- b) Please confirm that Enbridge does not require OEB Leave to Construct approval for decommissioning or abandoning an existing natural gas pipeline that is at end of life. If this is not correct, please explain.
- c) Please provide which wording within Section 101 of the Ontario Energy Board Act relates to construction of the proposed new facilities (i.e. NPS 6 pipeline) provided Leave to Construct approval (i.e. the Windsor pipeline approved in EB-2019-0172). Please explain how this wording is applicable to Enbridge's Section 101 application and the approval sought.
- d) Please provide which wording within Section 101 of the Ontario Energy Board Act relates specifically to decommissioning or abandonment of the end of life facilities (i.e. the NPS 10 steel main). Please explain how this wording is applicable to Enbridge's application and the approval sought.
- e) Has Enbridge previously applied for any approvals under Section 101 for a pipeline project? If yes, please provide a list and summary of all projects and indicate whether OEB approval was granted for each.
- f) Please provide a list of all regulatory approvals, guidelines and requirements Enbridge must seek or comply with when decommission or abandoning a transmission pipeline.
- g) Please describe the approvals sought for the decommissioning or abandoning the end of life pipeline (i.e. NPS 10 steel main) in EB-2019-0172 and what approvals were granted in the OEB's decision in that proceeding.
- h) Please confirm that Enbridge is not required to follow guidelines that "are not statutory regulations nor are they a rule of code issued under the OEB's authority" [Reference: EB-2019-0188 Reply Argument, page 4]. If this is incorrect, please provide a list of guidelines that Enbridge must follow that are not

statutory regulations nor are they a rule of code issued under the OEB's authority.

Pollution Probe #2

[Ex. A, T2, Sch.1]

Reference: "Enbridge Gas has agreed to locate approximately 6.3 kms of NPS 6 steel main much closer to the edge of the right-of-way in order to avoid a future road widening that is planned to occur between 5 and 10 years into the future"

- a) Please describe why Enbridge is not able to place the entire proposed pipeline along the extreme edge of the existing right of way in a similar manner indicated above.
- b) Please provide a list of pipeline relocations Enbridge (or legacy companies) has undertaken since 2010 due to road widenings or other issues within a road allowance. For each project, please indicate the reason for the relocation.
- c) Please provide a cost estimate to relocate the proposed pipeline to the edge of the new widened right-of-way assuming that will be required in 5 to 10 years. Please provide the cost allocation (i.e. percent allocation of costs to Enbridge and other parties) for that scenario.
- d) Please provide details comparing the incremental cost of burying the proposed pipeline at the depth requested by the County of Essex vs. the cost of relocating the entire pipeline to the edge of the new widened road allowance in 5 to 10 years.
- e) Please confirm what mitigation measures Enbridge uses to monitor the long-term impacts related to abandoning a transmission pipeline in place.

Pollution Probe #3

[Ex. A, T2, Sch.1]

- a) Please provide a breakdown of the increased capital construction costs (i.e. estimated by Enbridge to be more than \$13 million) by major activity.

- b) Please provide a copy of all courtesy bids, reports, memos or other materials supporting the cost estimate referenced in part a.
- c) Please explain how Enbridge would allocate these costs if they were incurred and break them down by O&M and capital amounts.
- d) What asset (if any) will the proposed decommissioning/abandonment costs be allocated to?
- e) Please provide the regulatory requirements for including a project as capital in rate base.
- f) Please provide a copy of all accounting requirements, policies or guidelines used by Enbridge when assessing the ability to capitalize a project or include it in rates.

Pollution Probe #4

[Ex. A, T2, Sch.1]

Reference: "If ordered to incur these costs, Enbridge Gas will seek recovery through rates".

- a) Please clarify who Enbridge believes would "order" the company to incur these costs?
- b) Please explain why Enbridge was not able to identify the requirements or issues with the County of Essex during project consultation/planning and include these costs in the Leave to Construct application.
- c) Please provide a list of Enbridge (including legacy companies) projects receiving Leave to Construct approval since 2010 where the Company has requested or notified the OEB of a project variation following OEB approval. For each instance, please provide a brief summary of the variance.
- d) Please confirm that all project costs above those approved by the OEB in EB-2019-0172 would not be recoverable from Ratepayers unless otherwise approved by the OEB.

- e) Please confirm who is liable for any future costs should a pipeline be abandoned in place and any calculations or assessment Enbridge has undertaken to assess that liability.

Pollution Probe #5

[Ex. A, T2, Sch.1]

Reference:

“In the alternative to a), an order, pursuant to section 101 of the Ontario Energy Board Act, 1998, S.O. 1998, c-15, Schedule B and Condition 4 of the Decision and Order in the Leave to Construct Application, direction and authorization, in whole or in part, to:

- i. construct a work upon, under or over a highway, utility line or ditch at a depth of cover of approximately 1.5 meters and otherwise in accordance with CSA Z662 and Enbridge Gas’s construction policies and standards; and/or
 - ii. Removal and remediation of approximately 21.8 kms of NPS 10 steel existing steel main.”
- a) Enbridge often varies the depth of cover for pipelines following OEB approval based on final permit conditions and/or field conditions. Please describe why Enbridge believes it requires the OEB to issue an additional order to increase depth of cover for the pipeline in this specific case?
 - b) Please provide a list of all permits or approvals still outstanding (including approvals from County of Oxford) for the proposed Windsor NPS 6 pipeline. Please provide an estimated timeline for when each outstanding permit or approval is expected.

Pollution Probe #6

[Ex. B, T1, Sch.1]

- a) Please confirm that the frost line is approximately 1.2 meters below ground.
- b) Please confirm that the frost line increases under compacted soil.

- c) Please provide a copy of the sections relevant to depth of cover from all policies, manuals, guidelines (including planning, construction and operations).
- d) Please explain how Enbridge has installed previous transmission pipelines at a depth greater than 1.2 meters without requiring workers to be in the trench.
- e) How many direct service connects will Enbridge have off the proposed NPS 6 steel pipeline?
- f) How many direct service connections are currently attached to the NPS 10 steel pipeline (for the portion proposed to be abandoned).
- g) Enbridge indicates that “Municipal drains are generally a regulated area with numerous conditions and restrictions for both construction methods, restoration and timing windows”. Please file all sections of the Environmental Assessment conducted for the project that assess municipal drains and the mitigation measure that will be required.
- h) Please explain how the municipal drains could be dredged if the proposed pipeline is installed above the drain or at a shallow depth.
- i) Please confirm that directional drill is the typical method of installation for an NPS 6 pipeline under watercourses, municipal drains and sensitive water features. If not correct, please describe the method typically used and provide LTC examples of recent use. [Reference: One recent LTC project approved by the OEB using this method is EB-2019-0188, see Exhibit B, Tab 2, Schedule 11].

Pollution Probe #7

[Ex. B, T1, Sch.1]

Reference: “Essex County’s specific requests for the full abandonment and removal of the existing Windsor Line are inconsistent with Enbridge Gas’s typical practice and were not planned as part of the Project’s 2021 construction plan”.

- a) In EB-2019-0188 (reference: Reply Argument, page 5) Enbridge Gas stressed that “no two projects approved by the OEB and completed by Enbridge Gas are identical”. Factors such as the location of construction (e.g. soil conditions, road allowance, private easement, etc.) and the overall scope and complexity of a

project all impact costing. Please explain why the request by Essex County is not applicable, if each project needs to be assessed independently rather than using a standard approach.

- b) Please confirm what regulatory requirement drives the need for an archeological assessment in order to remove the end of life NPS 10 pipeline.
- c) If an archaeological assessment is required, please explain why the archeological assessment conducted for the new pipeline is not sufficient given that they are in the same disturbed road allowance.
- d) Please provide a copy of all correspondence with the County of Oxford related to proposed NPS 6 pipeline project and proposed NPS 10 pipeline abandonment.
- e) Please provide a list of all permitting authorities that intervened in the EB-2019-0172 proceeding.

Pollution Probe #8

[Ex. B, T1, Sch.2]

- a) Please confirm that CSA Z662 sets the minimum technical standards for which Enbridge is required to use.
- b) Please file the sections of CSA Z662 which pertain to abandonment of pipelines.
- c) Please provide a copy of sections relevant to pipeline decommissioning or abandonment from all policies, manuals, guidelines (including planning, construction and operation).
- d) Has Enbridge undertaken an assessment of the long-term impacts related to abandoning a transmission pipeline in place (either this specific pipeline or a generic assessment that would be applicable). If yes, please provide a copy of all studies, presentations and materials related to the assessment, impacts and required mitigation measures.
- e) Please provide a copy of all analysis, presentation, reports or other materials that compare abandoning in place vs. removing the pipeline.

Pollution Probe #9

[Ex. B, T1, Sch.4]

- a) Please confirm that the NPS 10 abandonment is a separate project from the new NPS 6 pipeline. If incorrect, please explain.
- b) Please confirm that Enbridge has not requested or received any conditions from the OEB governing the abandonment of the NPS 10 pipeline. If incorrect, please provide a list of all requests and conditions.

Pollution Probe #10

[Ex. B, T1, Sch.5]

- a) Please provide a copy of the terms of reference and contract for the Wood Report.