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July 30, 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 Inc. Windsor Pipeline Section 101 Application
Energy Probe Interrogatories to Enbridge Gas Inc.**

Attached are the interrogatories of Energy Probe Research Foundation (Energy Probe) to Enbridge Gas Inc. in the EB-2020-0160 proceeding, the application by Enbridge Gas Inc. to the Ontario Energy Board for approval of order or orders under Section 101 of the OEB Act.

Respectfully submitted on behalf of Energy Probe.

Tom Ladanyi
TL Energy Regulatory Consultants Inc.
Consultant representing Energy Probe

cc. Enbridge Gas Inc. (Regulatory Proceedings)
Patricia Adams (Energy Probe)
Scott Stoll (Aird & Berlis)
David Sundin (McTague Law Firm)

Energy Probe Research Foundation 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: EnergyProbe@nextcity.com Internet: www.EnergyProbe.org

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15 (Schedule B);

AND IN THE MATTER OF an application by Enbridge Gas
Inc. pursuant to Condition 4 from the Ontario Energy Board's
Decision and Order, and Section 101 of the *Ontario Energy
Board Act, 1998* for authority to construct a work upon, under
or over a highway, utility line or ditch in the County of Essex
for the purposes of a natural gas pipeline in respect of which
the Ontario Energy Board granted leave to construct in EB-
2019-0172 to Enbridge Gas Inc.;

Enbridge Gas Application for Authority to Construct

Energy Probe Research Foundation Interrogatories to Enbridge Gas

July 30, 2020

EP-1

References: Exhibit A, Tab 2, Schedule 1, page 1, paragraph 2 and page 7, paragraph 24.

Preamble: *“This Application is to resolve a dispute between Enbridge Gas and The Corporation of the County of Essex (“Essex County”)...”*

“Enbridge Gas will participate in written and/or oral proceedings, including, if ordered, virtual technical or settlement conferences to ensure an expeditious decision following a proper review and consideration of the matters herein.”

- a) Does Enbridge Gas believe that its dispute with Essex County can be resolved through a settlement process with the assistance of a facilitator appointed by the OEB? Please explain the reasons for your answer.
- b) Please list all compromise solutions that Enbridge proposed to Essex County to resolve the dispute prior to its decision to file this Section 101 application.
- c) Please confirm that Enbridge could have resolved its dispute with Essex County at the risk of higher project costs than were approved by the OEB in the EB-2019-0172 Decision, but decided to file the Section 101 application to obtain OEB pre-approval of higher project costs in order to preclude a prudence review of project costs at re-basing. Please explain your answer.

EP-2

References: Exhibit A, Tab 2, Schedule 1, page 2, paragraph 6 and Exhibit B, Tab 1, Sch. 4, page 1, paragraph 2

Preamble: *“This Application will confirm to the Board that Enbridge Gas will install the NPS 6 steel for the entire length of the pipeline.”*

- a) What is the increase in the length and the cost of using NPS 6 steel (pipe) for the entire length of the pipeline over what was approved by the OEB in the EB-2019-0172 Decision? Please provide details about the increase in the cost of materials, labour, contingency and overheads.
- b) Is the increased cost due to the installation of a greater length of NPS 6 steel pipe included in the \$13.1 million cost estimate.

EP-3

Reference.: Exhibit A, Tab 2, Sch. 1, Page 3, Paragraph 8

- a) Please confirm that this is the first Section 101 application filed by Enbridge Gas or its predecessor gas distributors.
- b) Please explain the reasons why a gas distributor would need to file a Section 101 application.

EP-4

Reference: Exhibit A, Tab 2, Sch. 1, Page 6, Paragraph 22

Preamble: *“Essex County chose not to participate in the LTC Application even though it was aware its position on the depth of cover would not(be) meeting the following circumstances:*

- a. were not required to meet the CSA Z662;
- b. were not required to ensure the safety of persons or property;
- c. were not consistent with the purpose and intent of the existing 1957 Franchise Agreement (Exhibit B, Tab 1, Schedule 3, Appendix A); and
- d. That Enbridge Gas would not readily agree to such demands.”

- a) Please confirm that Enbridge was aware of the position of Essex County at the time of the EB-2019-0172 LTC proceeding.
- b) Did Enbridge inform the OEB of the position of Essex County during the EB-2019-0172 LTC proceeding? If the answer is yes, please file copies of any documents or Technical Conference transcript references where Enbridge informed the OEB of the position of Essex County. If the answer is no, please explain why not.

EP-5

Reference: Exhibit A, Tab 2, Schedule 1, pages 7 and 8, paragraph 26

- a) Please confirm that Enbridge is not seeking OEB approval of additional costs for the Windsor Replacement Project that are greater than what was approved by the OEB in the EB-2019-0172 Leave-to-Construct Decision. Please explain your answer.
- b) Please confirm that Enbridge will not be seeking an increase in the Windsor Pipeline Replacement Project ICM rate rider approved by the OEB in the EB-2019-0194 Decision. Please explain your answer.
- c) Please confirm that Enbridge will not be seeking approval of a new or revised ICM rate rider for the Windsor Pipeline Replacement project in the EB-2020-0095 Enbridge Gas application for OEB approval of its proposed 2021 rates. Please explain your answer.

EP-6

Reference: Exhibit B, Tab 1, Sch. 1, page 4, paragraph 13

Preamble: “Essex County has requested that when the proposed pipeline is within 6 metres of the edge of the road that the pipeline be installed with a 1.5 metres minimum depth of cover.”

- a) What length of the existing NPS10 pipeline is within 6 metres of the edge of the road?
- b) What length of the proposed NPS 6 pipeline is within 6 metres of the edge of the road?

EP-7

Reference: Exhibit B, Tab 1, Sch. 1, page 6, paragraph 21

Preamble: “Enbridge Gas did consider moving the running line to a location greater than 6 metres from the traveled portion of the roadway. While this would position the pipeline away from the road edge and minimize lane closure requests, the location is problematic as it generally positions the pipeline on the edge of, or under, municipal drains.”

- a) How many municipal drains would be affected? Please provide the number of drains and the length of pipe involved.

- b) Please compare the cost of the option of moving the running line to a location greater than 6 m from the travelled portion of the roadway at less than 1.5m of cover to the option of leaving the running line within 6 m at 1.5 m depth of cover. Please provide itemized cost information to support your answer.

EP-8

Reference: Exhibit B, Tab 1, Schedule 1, Pages 14 and 15, paragraph 61

Preamble: *“The critique by Haddad, Essex County’s third party reviewer, is erroneously relying on a transmission pipeline standard for depth and not the distribution pipeline standard;”*

- a) What is the definition of a transmission line? Please provide direct quotes with references to acts, regulations, and standards.
- b) Please explain using the definitions with references from your response to part (a) why the Windsor Replacement Pipeline is not a transmission line.

EP-9

References: Exhibit B, Tab 1, Schedule 4, page 3, paragraph 8

Preamble: *“The LTC Application was premised upon the requirements of CSA Z662 and Enbridge Gas’s construction standards, policies and procedures. The costs provided in the LTC Application did not include the additional costs of achieving a depth of cover of 1.5 metres for approximately 22.9 kms.”*

Please confirm that the EB-2019-0172 LTC application cost estimate was based on meeting minimum requirements of CSA Z662. If the answer is yes, please explain why Enbridge only planned to meet minimum requirements of CSA Z662. If the answer is no, please list the requirements of CSA Z662 that Enbridge was planning to exceed on the Windsor Pipeline Replacement Project.