



Lagasco Inc.

Application for the Classification of Certain Natural Gas Pipelines

PROCEDURAL ORDER NO. 2

July 31, 2020

On May 25, 2020, Lagasco Inc. (Lagasco) applied to the Ontario Energy Board (OEB) for an order declaring that the natural gas pipelines owned by Lagasco Inc. in Haldimand County are not "pipe lines" within the meaning of section 25(3) of the *Assessment Act, R.S.O. 1990* (Assessment Act), and were not "pipe lines" within the meaning of the Assessment Act at any time on or after January 1, 2015.

In its application, Lagasco requested an oral hearing.

A Notice of Hearing was issued on June 22, 2020. The Municipal Property Assessment Corporation (MPAC), the Ontario Petroleum Institute (OPI) and a number of jointly represented municipalities being the County of Elgin, County of Lambton, Haldimand County, Municipality of Bayham, Municipality of Central Elgin, Municipality of Chatham-Kent, Municipality of Dutton Dunwich, Municipality of West Elgin, Township of Malahide and the Township of Southwold (the Municipalities) were granted intervenor status.

In their intervention request, the Municipalities stated that they "seek the rights to file evidence and to make submissions before the Board panel, including the right to examine and cross-examine witnesses, to make submissions through counsel, and to attend by personal representatives if an oral hearing is held."

Procedural Order No. 1 was issued on July 17, 2020. MPAC, OPI and the Municipalities were granted intervenor status. The Procedural Order set out timelines for a written hearing such that the interrogatory stage would be complete by August 10, 2020, and the submission stage would be complete by September 7, 2020.

On July 30, 2020, MPAC filed its written evidence.

The OEB finds that it would be assisted in its decision by providing for intervenor evidence in this proceeding and submissions on the merits of an oral hearing. The procedural schedule set forth in Procedural Order No. 1 is cancelled and replaced by the schedule in this Procedural Order.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Lagasco shall file with the OEB complete written responses to all interrogatories, and serve them on intervenors, by **August 10, 2020**.
2. OEB staff and intervenors seeking to file evidence shall do so by submitting the evidence to the OEB and providing a copy to all parties no later than **August 20, 2020**. MPAC is not required to re-file its evidence.
3. Lagasco, OEB staff and intervenors shall request any relevant information and documentation on the evidence filed by OEB staff and intervenors (including the already filed evidence of MPAC) by written interrogatories filed with the OEB and served on all parties by **September 3, 2020**.
4. Lagasco, OEB staff and intervenors may make any written submissions on the merits of holding an oral hearing versus a written hearing or an electronic hearing with the OEB and serve them on all parties by **September 7, 2020**.

All materials filed with the OEB must quote the file number, **EB-2019-0166**, and be submitted in a searchable / unrestricted PDF format with a digital signature through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guidelines found at <http://www.oeb.ca/OEB/Industry>. If the web portal is not available, parties may email their documents to boardsec@oeb.ca.

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, Ritchie Murray at ritchie.murray@oeb.ca and OEB Counsel, Michael Millar at michael.millar@oeb.ca.

ADDRESS

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Attention: Registrar

Email: boardsec@oeb.ca
Tel: 1-888-632-6273 (Toll free)
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DATED at Toronto, **July 31, 2020**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary