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September 15, 2020

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Dear Sirs and Ms. Fernandes,

**RE: MATTER: COUNTY OF ESSEX ats ENBRIDGE GAS INC.**

**OEB FILE: EB-2020-0160**

**OUR FILE: 77571**

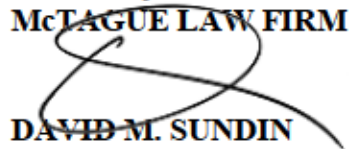
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In accordance with the Decision and Order of the Ontario Energy Board, dated September 9, 2020, please find enclosed the Answer of the Corporation of the County of Essex to Information Requested in the Decision and Order, dated September 9, 2020. This is being served on you pursuant to the Decision and Order, dated September 9, 2020 and the Rules of Practice and Procedure of the Board.

As always, should any of you need to discuss this matter further for any reason, please do not hesitate to contact my office.

Yours truly,

**McTAGUE LAW FIRM LLP**



**DAVID M. SUNDIN**

DMS/dm

Encl.

*c.c. OEB via email:*

*Christine E. Long – Registrar and Board Secretary – boardsec@oeb.ca*

## ONTARIO ENERGY BOARD

**IN THE MATTER OF** the *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.;

### **ANSWER OF THE CORPORATION OF THE COUNTY OF ESSEX TO INFORMATION REQUESTED IN THE DECISION AND ORDER, DATED SEPTEMBER 9, 2020**

#### **OEB DECISION AND ORDER – Question # 1**

**Reference:** County of Essex Evidence, Tab 1, Summary of Position of the Corporation of the County of Essex, para. 7, page 3

**Preamble:** It is stated that in an effort to accommodate the request of Enbridge, the County was prepared to use the right-of-way for the entire length of the pipeline on the condition that Enbridge would **remove any abandoned portion of the existing pipeline** and that if the new pipeline was installed within six metres of the existing paved portion of the road, the new pipeline would have a minimum depth of cover of 1.5 metres.

**Question a):** *Please confirm that in this statement the wording "**remove any abandoned portion of the existing pipeline**" refers only to the abandoned portion of the existing pipeline currently within the right-of-way and not to any abandoned portion of the existing pipeline that lies on private property.*

**Response:** The County confirms that the wording "**remove any abandoned portion of the existing pipeline**" refers only to the portion Enbridge intends to abandon within the right-of-way of County Road 46. It is the County's understanding that Enbridge has already agreed to remove the pipeline from the private easements, but that is an issue between Enbridge and the private property owners. The status of the pipeline within private easements is not generally a concern for the County,

and is not at this time, unless and until an environmental concern arises.

Dated: September 15, 2020

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OF ESSEX