

Ms. Christine Long  
Registrar & Board Secretary  
Ontario Energy Board  
P.O. Box 2319, 27th Floor  
2300 Yonge Street  
Toronto, ON M4P 1E4

October 1, 2020

**Re: EB-2020-0136 - Enbridge NPS 20 Cherry to Bathurst Leave to Construct  
Pollution Probe Interrogatories**

Dear Ms. Long:

Please find attached Pollution Probe's Interrogatories to the applicant for the above-noted proceeding. Pollution Probe coordinated with other parties and it was also helpful to review Board Staff's IRs which were filed early to avoid duplication.

Respectfully submitted on behalf of Pollution Probe.



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cc: Enbridge (email via [EGIRegulatoryProceedings@enbridge.com](mailto:EGIRegulatoryProceedings@enbridge.com))  
David Stevens, Aird & Berlis (via email)  
Azalyn Manzano, OEB Case Manager (via email)  
Michael Miller OEB Counsel (via email)  
Registered Parties (via email)  
Richard Carlson, Pollution Probe (via email)

**ONTARIO ENERGY BOARD**

**Enbridge NPS 20 Cherry to Bathurst Leave to Construct**

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**POLLUTION PROBE INTERROGATORIES**

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**October 1, 2020**

**Submitted by: Michael Brophy  
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Consultant for Pollution Probe**

Pollution Probe #1

[Ex. A, T2, Sch.1]

- a) Please confirm that Enbridge does not require approval from the OEB to abandon the existing NPS 20 pipeline.
- b) Please specify what approvals (if any) Enbridge is seeking from the Board in this proceeding related to the abandonment of the existing NPS 20 pipeline.
- c) If the OEB provides Leave to Construct approval as requested in this application, does Enbridge expect to defend and justify the new NPS 20 project costs when it requests inclusion in Rates (i.e. during an Enbridge Rate Case) or does Enbridge consider an OEB approval in this proceeding pre-approval of those costs for rate purposes?
- d) Please confirm if the abandonment of the existing NPS 20 pipelines is considered part of this Leave to Construct application. Please provide application references as appropriate.

Pollution Probe #2

Reference: OEB Staff Interrogatory #7

Reference: [Ex. A, T2, Sch.1, Page 10] - "An Environmental Protection Plan (EPP) will be developed for the Project."

OEB Staff provided a list of Draft Conditions of Approval for Enbridge to comment on. One of those was the following condition:

"Enbridge Gas shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review"

- a) Due to the environmental and socio-economic impact of large diameter construction in an urban congested area, please confirm that Enbridge would support the following condition of approval (or if not, please explain why):

Enbridge shall retain or assign a qualified Environmental Inspector for the duration of the project, including construction and restoration.

- b) Please confirm that the reference to Ontario Pipeline Coordinating Committee in the proposed condition above includes all permitting and approval authorities per the OEB's Environmental Guidelines for Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario.

Pollution Probe #3

[Ex. A, T2, Sch.1]

Reference: "The route and location for the Project were selected by an independent environmental consultant (Dillon Consulting Ltd.)"

Please provide a copy of the engagement letter and/or executed contract outlining the scope of work for Dillon Consulting Inc.

Pollution Probe #4

[Ex. A, T2, Sch.1]

Reference: "The Project consists of the installation of approximately 4.5 km of NPS 20 HP ST natural gas pipeline from the intersection of Cherry Street and Lake Shore Boulevard where it will tie-in to an existing natural gas pipeline. From there it travels west along Lake Shore Boulevard (and parts of Harbour Street) to Remembrance Drive (west of Bathurst Street) where it will tie-in to an existing natural gas pipeline. The Project also requires the construction of a tie-in lateral (the North Tie-In Lateral) which commences at the intersection of Mill Street and Parliament Street. At that intersection the North Tie-in Lateral will tie-in to an existing natural gas pipeline. From there the North Tie-in Lateral travels approximately 260 m south along Parliament Street to Lake Shore Boulevard where it will tie-in to the facilities to be constructed along Lake Shore Boulevard".

Please confirm the scope outlined above represents the "Project" and that the term "Project" and "LCEP" facilities are interchangeable. If not, please explain.

Pollution Probe #5

[Ex. B, T1, Sch.1]

- a) Please explain how the section of NPS 20 pipeline that Enbridge proposes to replace ranks against other projects identified with integrity issues. Please provide a table showing the ranking.
- b) Please describe the process used to decide which of the project on the list above move forward for replacement and who makes that decision.
- c) Has Enbridge completed an Integrated Planning assessment or screening for this project? If yes, please provide a copy.

Pollution Probe #6

[Ex. B, T1, Sch.1]

Reference: "Table 11 provides a summary of the results of the cost comparison analysis. The total cost of the Project is much lower than the cost of the Repair Option. While the net present value of the Repair Option is modestly lower than that of the Project, the cost of the Repair Option is a conservative estimate. It does not take into account any of the secondary impacts identified in Table 10 above such as economic impacts to residents and local businesses."

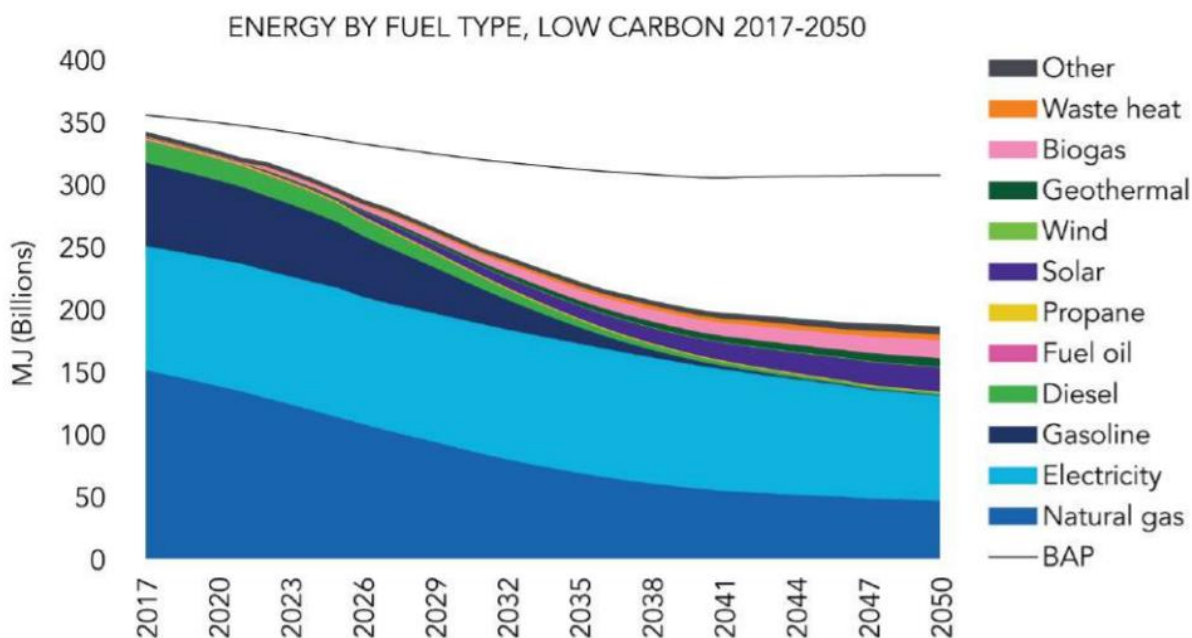
- a) Please explain why Enbridge did not include economic estimates of all costs to make an apples-to-apples NPV comparison in Table 11.
- b) Repairing localized issues (including on traffic and businesses) would have localized impacts rather than larger impacts due to constructing over a larger area. Please explain why that was not included as a benefit if the Repair Option in Table 10.
- c) It appears that the decision above was based on Enbridge employee or executive judgement rather than pure economic (NPV) analysis. Please confirm this is correct or if not correct please explain how the conclusion was reached to go with the more costly option (per table 11).

Pollution Probe #7

[Ex. B, T1, Sch.1]

Reference: “The scenarios presented above are premised on existing customers. As discussed below, Enbridge Gas expects that the downtown core will continue to experience growth over the coming years. Should the C2B segment remain in place in its current condition and be isolated in the future due to a defect or damage, then more customers and gas users could experience a service interruption than those presented in the scenarios above.”

Reference: Figure 33. Energy by fuel, Low Carbon 2017-2050. TransformTO: Climate Action for a Healthy, Equitable, Prosperous Toronto.



- a) The City of Toronto forecasts a significant decrease for natural gas use over the life of the proposed pipeline. Please reconcile that with Enbridge’s projection and explain if a smaller pipeline or reduced pressure would be more cost-effective to meet declining natural gas demand.

Pollution Probe #8

[Ex. C, T1, Sch. 1]

- a) Please confirm which Enbridge policy, manual or other guidance material indicate that Enbridge will comply with the OEB's Environmental Guidelines for Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario and provide the relevant excerpts from each document.
- b) Please confirm that all requirements within the OEB's Environmental Guidelines for Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario have been followed or outline which requirements Enbridge has not followed.
- c) Please provide a list of all regulatory approvals and permits Enbridge must secure in order to decommission the existing NPS 20 transmission pipeline.
- d) Please confirm that Enbridge has secured approval from the City of Toronto to abandon the existing pipeline in place and please provide a copy of the correspondence from the City of Toronto indicating such approval.
- e) If approval for abandonment in place of the existing NPS 20 pipeline has not already been secured, please provide an estimate of what additional costs could be incurred if the existing pipeline abandonment approval requires removal of the pipeline rather than abandonment in place.

Pollution Probe #9

[Ex. C, T1, Sch. 1]

- a) Will the proposed abandonment of the existing pipeline require significant work in accordance with Enbridge's construction and maintenance manual, including sectionalizing abandoned pipe every 450m and grouting road crossings to prevent settlement from above. If not correct, please explain.
- b) Please provide which areas of the Environmental Report and mitigation plans cover the impacts and mitigation plan related to abandonment of the existing pipeline.

- c) Has Enbridge assessed impacts to businesses and financial support during construction disruption for the project?
- d) Please provide a copy of all materials shared with businesses along the proposed route.
- e) It is not unexpected to encounter areas of contaminated soil in downtown Toronto. Please explain what Enbridge has done to investigate that potential along the proposed route and what funding the proposed project budget includes for such an eventuality.

Pollution Probe #10

[Ex. C, T1, Sch. 1]

- a) Please provide a list of all OPCC organizations and permitting authorities where Enbridge has not yet received a letter confirming approval or that there are no residual issues with the proposed project.
- b) If Enbridge has not received a letter from an OPCC organization or permitting authorities, does Enbridge make the assumption that silence is consent? If not, please explain how Enbridge intends to seek confirmation from all outstanding OPCC organizations and permitting authorities.

Pollution Probe #11

[Ex. C, T1, Sch. 1, Attachment 1]

- a) Does the proposed route intersect any dedicated bicycle lanes? If so, what mitigation is proposed to protect the safety of cyclists.
- b) Did Enbridge conduct or leverage traffic study data for each route option? If so, please provide the traffic count information.
- c) Construction in this congested downtown area will have spillover impacts on other roads due to traffic delays. Please describe how Enbridge has assessed those impacts and what mitigation it proposes.



- d) The Environmental Report completed by Dillon indicates that all permits and approvals should be acquired prior to starting construction. Does Enbridge agree to this recommendation?
- e) Please provide the following:
  - Water source for hydrostatic testing
  - Volume of water that will be required
  - Discharge location following hydrostatic testing
  - What permits and approval will be required

Pollution Probe #12

[Ex. C, T1, Sch. 1, Attachment 2] -

Reference: The Golder Report includes an assumption that the Public is willing to tolerate construction in congested areas as they recognize the importance of replacing aging infrastructure.

- a) Please provide the reference source of this assumption and a copy of supporting materials (e.g. public survey).
- b) Does this assumption also apply to businesses along the proposed route? If so, please provide a copy of the materials (e.g. survey responses) supporting this assumption.
- c) Has Enbridge identified what other road or utility projects will be occurring during the proposed construction window for this pipeline and the cumulative impacts due to these projects? If so, please provide a list and the proposed mitigation plan.
- d) Please confirm that there are 27 direct service connections on the existing pipeline that the proposed project replaces. If not, please provide the accurate number. If yes, please explain why these customers are attached to the high-pressure transmission pipeline rather than a local distribution pipeline.
- e) Please indicate if cycling lanes or number of businesses were used in analyzing and selecting the Preferred Route. If yes, please provide the reference. If not, why not.

Pollution Probe #13

[Exhibit D, Tab 1, Sch. 1]

- a) Please provide a copy of Enbridge's Feasibility Policy.
- b) Please describe how this project's financial treatment aligns with EBO 188.
- c) Please provide a table showing the contingency percentages used on the last ten Leave to Construct projects approved by the OEB.
- d) Please explain the methodology Enbridge uses to assign a contingency percentage to projects like the one proposed and please provide a copy of reference materials from relevant policies, guidelines and manuals.
- e) Please provide and populate a copy of Table 3: Estimated Project Costs and add a column for the proposed new pipeline and a column for the proposed abandonment inserted before the total cost column.
- f) Please provide a copy of the materials used (including contractor courtesy quotes) to calculate and provide confidence that these costs are an accurate estimate.