



Ontario
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BY : EMAIL

October 5, 2020

David M. Sundin
Solicitor for the County of Essex
McTague Law Firm LLP
455 Pelissier Street
Windsor ON N9A 6Z9
dsundin@mctaguelaw.com

Dear Mr. Sundin:

Re: **Windsor Pipeline Replacement Project – Section 101 Application
Ontario Energy Board File Number: 2020-0160**

The OEB is in receipt of the written final submissions of the County of Essex (Essex) in the above noted matter, which was filed on October 2, 2020. In that submission, Essex requested permission to make responding submissions to the submission of OEB Staff, which had been filed earlier on that day.

The procedural steps for the filing of final argument were established by the OEB in its Decision and Order respecting a motion filed by Environmental Defence. The OEB established September 22 as the date for Enbridge Gas Inc.'s (Enbridge Gas) argument in chief, October 2 as the date for the filing of final argument by OEB Staff and intervenors (including Essex), and October 8 for Enbridge Gas's reply argument.

It is common for OEB Staff to file its final arguments at the same time as intervenors. There is nothing improper in this practice, and there is no requirement for the OEB to allow for supplemental argument from intervenors with respect to the argument of other intervenors or OEB staff. The OEB recognizes, however, that this is an unusual case. The dispute for which Enbridge Gas is seeking redress is with Essex, and Essex could be the party most impacted by the OEB's decision. Under these circumstances, the OEB will allow Essex to make a short written reply to the arguments of OEB staff. Essex should limit its response to matters that were not already raised by Enbridge Gas in its argument in chief.

Essex' supplemental submissions must be filed with the OEB by October 8, 2020.
Enbridge Gas' reply submissions (to the arguments of all parties) will be due October 14, 2020.

Yours truly,

Original signed by

Christine E. Long
Registrar

cc: Guri Pannu, Counsel for Enbridge Gas
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Scott Stoll, Counsel for Enbridge Gas
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All parties in proceeding EB-2020-0160