



Lagasco Inc.

Application for the Classification of Certain Natural Gas Pipelines

PROCEDURAL ORDER NO. 5

November 13, 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) applied for intervenor status.

Procedural Order No. 1 was issued on July 17, 2020. MPAC, OPI and the Municipalities were granted intervenor status. Procedural Order No. 1 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.

Procedural Order No. 2 was issued on August 10, 2020. The procedural schedule set forth in Procedural Order No. 1 was cancelled and replaced by a revised schedule that provided for the filing of intervenor evidence, interrogatories and responses on that evidence, and submissions on the merits of holding an oral hearing versus a written hearing or an electronic hearing.

Procedural Order No. 3 was issued on September 23, 2020. The OEB found that there would be no benefit to an oral hearing. The OEB set a schedule for written final argument.

Lagasco filed with the OEB its Argument-in-Chief on October 8, 2020. OEB staff and intervenors filed submissions on October 20, 2020. Lagasco filed its written reply submissions on November 2, 2020.

Procedural Order No. 4 was issued on November 9, 2020. The OEB determined that it would be assisted by supplemental oral argument and set the date for a transcribed videoconference at November 24, 2020.

On November 10, 2020, MPAC filed a letter with the OEB stating that it was unavailable to make oral argument on November 24, 2020 because it is scheduled for an appearance on another matter at that time.

OEB staff polled the parties by email and determined that all parties are available for oral argument on December 2, 2020.

Findings

The OEB will reschedule oral argument to December 2, 2020.

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, OEB staff and intervenors may file a written summary of not more than three pages of their submissions for oral argument that are consistent with materials already filed with the OEB and serve them on all parties by **November 25, 2020**.
2. Oral arguments will be held by videoconference on **December 2, 2020**, commencing at 9:30 a.m. (Instructions on how to participate in the videoconference will be communicated later.)

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 [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at www.oeb.ca/industry. We encourage the use of RESS; however, parties who have not yet [set up an account](#), may email their documents to registrar@oeb.ca.

All communications should be directed to the attention of the Registrar 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.

Email: registrar@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **November 13, 2020**

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar