

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

December 9, 2020

**Re: EB-2019-0159 2021 Dawn Parkway Expansion Project
Pollution Probe Comments on Final Cost Claim**

Dear Ms. Long:

Pollution Probe is in receipt of the Enbridge Cost Claim Reply dated December 7, 2020 and would like to provide an answer to an element that appears to be in question. Enbridge has not disputed or identified any specific concern related to the Pollution Probe cost claim. However, Enbridge did indicate that it is “concerned that despite claiming costs in excess of the threshold established by the Board for interim cost awards, GEC and PP still have not produced any expert evidence to support their cost claims in this proceeding”. This suggests that Pollution Probe missed a deadline for filing evidence. Pollution Probe and its expert witness spent significant time in preparation for the evidence and was on track to complete and file that evidence by the June 1, 2020 deadline. Enbridge’s request for adjournment was filed May 4, 2020 which is four weeks prior to the deadline for completing and filing intervenor evidence. Incurring additional costs to finalize and file evidence now that the proceeding has been terminated is not practical or recommended. The interim cost award was clearly stated to be interim until there was clarity on whether the proceeding would reconvene. Now that there is certainly that the proceeding will not reconvene, this is the appropriate time to review the residual costs incurred during the proceeding. Since the proceeding was halted prior to the evidence deadline, the evidence was not finalized and filed in the proceeding. The costs outlined were actuals incurred up to the adjournment and the rest of the process is beyond the control of Pollution Probe. We trust this provides clarity to the questions raised and feel free to reach out should anything else be required.

Respectfully submitted on behalf of Pollution Probe.



Michael Brophy, P.Eng., M.Eng., MBA
Michael Brophy Consulting Inc.
Consultant to Pollution Probe
Phone: 647-330-1217
Email: Michael.brophy@rogers.com

cc: Adam Stiers, Enbridge (email via EGIRegulatoryProceedings@enbridge.com)
Guri Pannu Senior Legal Counsel, Enbridge Regulatory (via email)
Charles Keizer and Myriam Seers, Torys (email via ckeizer@torys.com)
All Parties (via email)
Richard Carlson, Pollution Probe (via email)