

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

December 14, 2020

**Re: EB-2020-0065 – Enbridge Branchton Relocation Leave to Construct  
Pollution Probe Intervention Request**

Dear Ms. Long:

Pollution Probe is in receipt of the notice for the above noted proceeding and hereby applies for intervenor status and requests that it be eligible for the recovery of reasonably incurred costs for its participation. Pollution Probe has been an active participant in facility proceedings, including Leave to Construct applications. Pollution Probe represents the direct interests of consumers and an interest and policy perspective relevant to the Board's mandate in this proceeding. Pollution Probe also works collaboratively with organizations including the Clean Air Partnership and Clean Air Council, which represent consumers and municipalities impacted by the proposed project.

Pollution Probe is a frequent intervenor in Board proceedings and a copy of the current Annual Filing can be found on the Board's website at the following location:

<http://www.rds.oeb.ca/HPECMWebDrawer/Record/687123/File/document>

**Goals and Objectives**

Pollution Probe intends to actively participate in all aspects of this proceeding with a focus on the following areas.

- Financial, environmental and socio-economic impacts related to the proposed pipeline. In addition, there are Provincial wetlands impacted by the proposed project and a detailed mitigation plan has not yet been filed for this project.
- The need and basis for the project. This project is labelled as a relocation project, which consists of a new pipeline and abandonment of the old pipeline. In this application, no request has been made for review or approval of the proposed abandonment. The basis for the relocation is that it no longer complies with CSA Z662 requirements. The CSA Z662 requirements provide a minimum standard which has been the subject of review and interpretation in other Leave to Construct projects. There is significant flexibility in consideration of these standards and the standards are not meant to be applied prescriptively in every situation. Given the age of natural gas infrastructure in Ontario, approval for this project without careful consideration has the potential to set a precedent for a very large number of existing pipelines that could be considered not to meet CSA Z662 minimum standards. The impacts related to this precedent have the potential to

have significant impacts. An oral hearing portion to cross examine experts (including TSSA) would bring value and clarity given the complexity and diversity of opinion on this issue.

- The proposed project is a 'like for like' replacement without consideration of the current demand served by this NPS 26 pipeline. The existing facilities were designed and installed around 1957 and there is no current basis provided to indicate that NPS 26 is suitable. In similar projects it has been possible to reduce costs and impacts through a more thorough assessment that has not been provided in this application.

### **Intention to Seek Cost Awards**

Pollution Probe is a not-for-profit charitable organization. We receive individual donations as well as funding for consumer and research projects, such as on community energy planning, future of natural gas and regulated utility innovation, from a variety of public and private sources. Without the prospect of an award of costs, Pollution Probe's ability to participate in the consultation process would not be possible. Pollution Probe has been an active and valuable participant in proceedings before the Ontario Energy Board and will continue to coordinate its activities, where appropriate, with other parties which represent consumer, community and environmental interests in Ontario.

### **Notice**

Pollution Probe requests that further communications with respect to this matter be sent to:

Michael Brophy  
Michael Brophy Consulting Inc.  
Consultant for Pollution Probe  
28 Macnaughton Road  
Toronto, Ontario M4G 3H4  
Phone: 647-330-1217  
Email: [Michael.brophy@rogers.com](mailto:Michael.brophy@rogers.com)

Respectfully submitted on behalf of Pollution Probe.



Michael Brophy, P.Eng., M.Eng., MBA  
Michael Brophy Consulting Inc.  
Consultant to Pollution Probe  
Email: [Michael.brophy@rogers.com](mailto:Michael.brophy@rogers.com)

cc: Asha Patel, Enbridge Regulatory (email via: [Asha.Patel@enbridge.com](mailto:Asha.Patel@enbridge.com))  
Tania Persad, Enbridge Legal (email via: [Tania.Persad@enbridge.com](mailto:Tania.Persad@enbridge.com))  
Richard Carlson, Pollution Probe (via email)