

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

December 18, 2020

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

Dear Ms. Long:

Pollution Probe is in receipt of the letter from Enbridge dated December 18, 2020 for the above noted proceeding. Enbridge has not objected to Pollution Probe's participation in the proceeding, but outlines a specific concern related to including an oral hearing component and potential cross-examination of TSSA. Enbridge has agreed that the issues proposed by Pollution Probe are valid and should be addressed in the proceeding. These issues directly impact Pollution Probe members, and stakeholders and consumers that Pollution Probe represents. As recognized by Enbridge, Pollution Probe has been an active participant in facility proceedings, including Leave to Construct application and its participation has been of value in these proceedings. Pollution Probe represents the direct interests of consumers and an interest and policy perspective relevant to the Board's mandate in this proceeding.

The only issue that Enbridge has objected to is Pollution Probe's request that an oral element be included in the proceeding to adequately test the need for the project, more specifically that the existing pipeline is not compliant with CSA Z662. This is the primary reason put forward by Enbridge on why the existing pipeline segment needs to be abandoned, therefore driving the entire need for the proposed new pipeline. It is implied in the application that TSSA endorses the need for the relocation, but no evidence has been put forward indicating that TSSA requires relocation of the existing pipeline. Pipeline relocations are often required due to things like a conflict with planned road widening and the basis for those are well understood if supported by a specific request from a municipality for Enbridge to relocate the pipeline. In this specific proceeding, the project need put forward by Enbridge is lack of compliance with CSA Z662. In its letter, Enbridge included an email thread with TSSA that indicates TSSA has only reviewed the proposed new pipeline design in accordance with its role in the OPCC. However, this is distinctly different than providing evidence indicating that TSSA requires the current pipeline to be moved. The role of the OPCC is to review new pipelines and does not include the TSSA roles related to existing pipelines. It is important to note that all material sent to the OPCC requested comments on the new pipeline and not the basis for the relocation. If TSSA requested the pipeline relocation, the public record will need to include evidence to support that request. If TSSA did

not request the pipeline relocation, then the burden rests with Enbridge to demonstrate the cause of the relocation. CSA Z662 'grand-fathers' existing pipelines and an incorrect interpretation of CSA Z662 could result in a very large number of pipeline relocations (costs and impacts) that are currently 'grand-fathered' by CSA Z662.

Pollution Probe believes that an oral component to the proceeding is justified on this basis outlined above. Following the interrogatory phase, it would be possible for the OEB to determine if an Enbridge witness is suitable or if the TSSA would also need to provide a witness.

Respectfully submitted on behalf of Pollution Probe.



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