

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

January 24, 2021

**Re: EB-2020-0065 – Enbridge Branchton Relocation Leave to Construct
Pollution Probe Letter Pertaining to Enbridge Temporary Adjournment Request**

Dear Ms. Long:

Pollution Probe is in receipt of Enbridge's letter dated January 22, 2021 requesting a temporary two-month adjournment to the proceeding while Enbridge reassess the basis, need and scope of the proposed project. The primary basis of the relocation as outlined in the Enbridge application was that a section of the pipeline no longer complied with CSA Z662, therefore driving the need for the proposed abandonment and new pipeline including approximately \$8.9 million in potential capital costs and related environmental and socio-economic impacts. Pollution Probe identified its letter dated December 14, 2020 that CSA Z662 was potentially being misinterpreted and indicated that an oral hearing component should be added to adequately assess Enbridge's and/or TSSA's interpretation and application of CSA Z662. If CSA Z662 is misinterpreted it could set a precedent resulting in a very large number of pipeline relocations (costs and impacts) that are currently 'grand-fathered' by CSA Z662. In Procedural Order No. 1 the OEB indicated that it would determine oral hearing needs following the interrogatory phase.

As outlined in Pollution Probe's letter dated December 18, 2020, the only TSSA related materials filed in this proceeding relate to the new proposed pipeline design as part of the OPCC review process. It is important to differentiate TSSA review of a new pipeline from review of the existing pipeline. Nothing currently on the public record in this proceeding indicates that TSSA has assessed the current pipeline or directed Enbridge to relocate the existing pipeline or that the existing pipeline does not comply with CSA Z662.

Pollution Probe supports Enbridge's request for a two-month temporary adjournment so it can better assess the basis, need and scope of the proposed project. If a need for relocation remains after that assessment, it is clear that additional evidence would be required to support the request.

Procedural Order No. 1 also required that Parties file Interrogatories on or before January 15, 2021 and that Enbridge provide responses no later than January 25, 2021. Pollution Probe

suggests that the interrogatory responses Enbridge is required to file by tomorrow could provide useful clarity needed for the OEB to consider Enbridge's temporary adjournment request.

Following receipt of interrogatory responses from Enbridge, Pollution Probe recommends granting the two-month temporary adjournment requested.

Respectfully submitted on behalf of Pollution Probe.



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